

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 25, 2008

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

001 Commercial Put and Take Fisheries Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314 and 37-4,108. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-213 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

001.01 State laws provide the following requirements:

001.01A No regular state fishing permit shall be required for fishing in any duly licensed Commercial Put and Take Fishery operating under the rules and regulations prescribed by the Nebraska Game and Parks Commission.

001.01B The permit fee shall be payable in advance

001.01C No person shall operate such an establishment without first obtaining such permit.

001.01D Before issuing a permit the Fisheries Division, Nebraska Game and Parks Commission shall investigate each establishment annually and be satisfied that the fishery will operate within applicable state and federal laws.

001.02 The fee shall cover a period from January 1 to December 31, inclusive, or any fractional period thereof. All permits shall expire at midnight on December 31 of the year in which issued.

001.03 A written application, furnished by the Fisheries Division, Nebraska Game and Parks Commission, must be submitted and must be complete in all respects.

001.04 On commercial put-and-take fishery ponds that have natural outlets to other waters on other land, permanent screens shall be installed so that no fish may enter from flood waters or leave waters of the commercial put-and-take fishery. Screens must be approved by the Fisheries Division, Nebraska Game and Parks Commission and the mesh of such screens shall be not greater than one-half inch wire mesh screen. Permits shall not be issued unless screens can effectively keep fish in or out of the commercial put-and-take pond.

001.05 All waters for such purposes shall be entirely within the exterior boundaries of the land owned or leased by the applicant for such purposes.

001.06 A legal description must accompany the application. If land is leased, a copy of the lease must accompany the application.

001.07 All fish used in said fishery shall be legally acquired from legal fish dealers or private hatcheries aquaculture facilities inside or outside the state. All species of fish to be used must be approved by the Fisheries Division, Nebraska Game and Parks Commission. The permit to operate such fishery shall not confer upon the operator the right to take wild fish from the natural resources of the state.

001.07A It shall be unlawful to import all live fish of the salmonid family (trout, char, and salmon).

001.07B It shall be unlawful to import any live fish without being inspected and found free of Viral Hemorrhagic Septicemia (VHS)

and Spring Viremia of Carp (SVCV). Largemouth bass shall have been inspected and found free of Largemouth Bass Virus (LMBV) and live yellow perch shall have been inspected and found free of Heterosporis.

001.07C An "Application for Importation" fertilized eggs, gametes, or live fish, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

001.07C1 All disease inspections shall be conducted by methods and procedures acceptable to the Commission. The most recent publication "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" published by the Fish Health Section of the American Fisheries Society should be used as a guideline. Inspections shall be conducted by an individual certified as a Fish Health Inspector or Fish Pathologist or as approved by the Commission.

001.08 The permit shall be posted or displayed in a conspicuous place on the fishery premises described in the application.

001.09 Before any fish are removed from the fishery premises, the operator of said fishery must furnish a statement or invoice to each person removing fish from the hatchery premises. The invoice shall state the name and address of the person removing fish, the number and kind of fish removed, and shall be signed by the operator. All entries on the invoice shall be in ink.

001.10 There is no state bag or possession limit or hook and line limits on licensed put and take fisheries.

001.11 Operator of such fishery may set his own bag or possession limits or make other regulations regarding the operation of the fishery that do not conflict with state or federal laws and regulations.

001.12 Any agent or officer of the Nebraska Game and Parks Commission may enter upon fisheries premises for the purposes of inspecting the same or for the purpose of enforcing state laws and regulations.

001.12A If the agent or officer finds evidence that one of the listed diseases (Section 001.12B) may be present an adequate sample of fish shall be surrendered for a diagnostic inspection.

001.12B Upon identification of any of the following diseases (Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), infectious Hematopoietic Necrosis (IHN), *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), *Aeromonas salmonicida* (Furunculosis), *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD), Largemouth Bass Virus (LMBV), and Heterosporis), the Director of the Commission shall impose an immediate prohibition of moving any fish for up to 30 days. During the prohibition a compliance agreement stating the appropriate procedures for the disposal of the infected fish and the disinfection of the facility shall be determined by the Commission's representative and the owner/operator.

The agreement shall be designed to bring the least amount of economic hardship to the affected party while affording maximum protection to other operators, growers, and the fishery resources of the state.

001.13 It shall be unlawful for commercial put and take operators to fail to provide a written report by January 15 of the year following the permit expiration.

001.13A It shall be unlawful to fail to report the date, number, species, size and source of the fish purchased. Reports shall be on approved forms or as furnished by the Fisheries Division, Nebraska Game and Parks Commission.

001.13B Failure to comply with this regulation will disqualify the permittee for issuance of subsequent permit.

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** February 9, 2009

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

002 Non-resident Fish Dealers and Exportation, Importation and Possession Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37-316, 37-468, 37-482.01, 37-524, 37-545, 37-546, 37-547, and 37-548.. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-234 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

002.01 It shall be unlawful for any person, except employees of the Nebraska Game and Parks Commission to stock any species of fish, mollusks, amphibians and crustaceans in any public waters of this state or lands in the state, without written approval of the Commission, or to stock any nongame fish in any private waters of this State which overflows into or connects in any way to public waters.

002.02 It shall be unlawful to sell or offer any carp, carpsucker, buffalo, gar, quillback, or bowfin for use as bait.

002.03 No person, either resident or nonresident, shall import or transport in any manner live amphibians, (as listed in Section 009) any live fish, mollusks and crustaceans into this State for any purpose without prior written authorization from the Fisheries Division of the Nebraska Game and Parks Commission:

002.03A It shall be unlawful to buy, sell, trade or barter any aquatic organism not listed on the non-resident fish dealer permit.

002.03B It shall be unlawful to import all live fish of the Salmonid family (trout, char, and salmon). An "Application for Importation" form for fertilized eggs or gametes, of the Salmonid family, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission, not less than 10 days prior to each importation. Any facility from which eggs or gametes of the Salmonid family are to be imported must be inspected annually and found to be free of Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), Infectious Hematopoietic Necrosis (IHN), Epizootic Epitheliotropic Disease (EED), Virus Disease of *Oncorhynchus masau* (OMV), Spring Viremia of Carp (SVCV), *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), or *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD)

002.03C It shall be unlawful for anyone to buy, sell, trade, barter or possess live fish species of the family Channidae (snakeheads).

002.03D All facilities from which fertilized eggs, gametes or live fish are imported into the state shall be inspected and found free of Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). Largemouth bass shall be inspected and found free of Largemouth Bass Virus (LMBV) and live yellow perch shall be inspected and found free of Heterosporis.

002.03E An "Application for Importation" fertilized eggs, gametes, or live fish, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

002.03E1 Legal bait fish as listed in Section 009 may be imported into this State for use as bait provided the facility from which they are being imported meets the following criteria. 1) Licensed facility must provide a fish health inspection report with a disease free status to the Fisheries Division of the Nebraska Game and Parks Commission. 2) Testing shall be conducted for Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). 3) An "Application for Importation of Bait" form shall be submitted prior to any

importation to the Fisheries Division of the Nebraska Game and Parks Commission. An approval for importation will be granted for a specified period of time up to six months. 4) Approval and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

Failure to comply with these criteria shall result in the non-resident fish dealer permit being revoked.

002.03E2 All disease inspections shall be conducted by methods and procedures acceptable to the Commission. The most recent publication of the "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" published by the Fish Health Section of the American Fisheries Society should be used as a guideline. Inspections shall be conducted by an individual certified as a Fish Health Inspector or Fish Pathologist or as approved by the Commission.

002.04 It shall be unlawful for nonresident fish dealers to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

002.04A It shall be unlawful to fail to report the date, number, species, size and name of the purchaser for all fish mollusks, amphibians and crustaceans transported into Nebraska. Reports shall be on approved forms or as furnished by the Fisheries Division, Nebraska Game and Parks Commission.

002.04B Failure to comply with this regulation will disqualify the permittee for issuance of a subsequent permit for three years following failure to report.

002.05 The following live fish, mollusks, amphibians and crustaceans and their viable gametes have been determined by the Commission to not cause economic or ecological harm or be injurious to human beings, agriculture, horticulture, forestry or wildlife resources. They, therefore, may be imported into the state by permitted non-resident fish dealers,

bait dealers and/or private aquaculturists, but not intentionally released to the wild.

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
<b>FISH</b>		
Paddlefish	<i>Polyodon spathula</i>	paddlefish
Catfish	<i>Ictalurus furcatus</i> <i>Ictalurus punctatus</i> <i>Pylodictis olivaris</i> <i>Ameiurus melas</i> <i>Ameiurus natalis</i>	blue catfish channel catfish flathead catfish black bullhead yellow bullhead
Pike	<i>Esox americanus</i> <i>Esox lucius</i> <i>Esox masquinongy</i>	grass pickerel northern pike muskellunge
Trout* *(Eggs only)	<i>Oncorhynchus clarki</i> <i>Oncorhynchus mykiss</i> <i>Oncorhynchus tshawtshca</i> <i>Salmo trutta</i> <i>Salvelinus fontinalis</i>	cutthroat trout rainbow trout chinook salmon brown trout brook trout
Temperate bass	<i>Morone chrysops</i> <i>Morone saxatilis</i>	white bass striped bass
Sunfish	<i>Ambloplites rupestris</i> <i>Lepomis cyanellus</i> <i>Lepomis gibbosus</i> <i>Lepomis humilis</i> <i>Lepomis macrochirus</i> <i>Lepomis microlophus</i> <i>Micropterus dolomieu</i> <i>Micropterus punctulatus</i> <i>Micropterus salmoides</i> <i>Pomoxis annularis</i> <i>Pomoxis nigromaculatus</i>	rock bass green sunfish pumpkinseed orangespotted sunfish bluegill redear sunfish smallmouth bass spotted bass largemouth bass white crappie black crappie
Perch	<i>Sander vitreus vitreus</i> <i>Sander canadensis</i> <i>Perca flavescens</i>	walleye sauger yellow perch

Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennioides</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace
Gar	<i>Lepisosteus osseus</i>	longnose gar
	<i>Lepisosteus platostomus</i>	shortnose gar
Sucker	<i>Carpionodes carpio</i>	river carpsucker
	<i>Carpionodes cyprinus</i>	quillback
	<i>Ictiobus bubalus</i>	smallmouth buffalo
	<i>Ictiobus cyprinellus</i>	bigmouth buffalo
	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killifish
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
	<i>Alsoa pseudoharengus</i>	alewife

NOTE: This includes all hybrids of the above species.

## **CRUSTACEANS**

Crayfish	<i>Orconectes neglectus</i>	ringed crayfish
	<i>Orconectes immunis</i>	papershell crayfish
	<i>Orconectes virilis</i>	northern crayfish
	<i>Cambarus diogenes</i>	devil crayfish

002.06 Request for additions to list of fish, mollusks, amphibians and crustaceans for importation into Nebraska (list 002.05). The above list of species approved for import may be amended or modified upon showing of substantial evidence that additional species will not cause economic or ecological harm. Any person desiring to add a species to this list must provide written responses to the following questions:

002.06A What species are you proposing to be added to the import list? Common and scientific names must be provided.

002.06B What is the purpose of the importation? What native species are available that could serve the purpose?

002.06C What safeguards against the importation of disease or parasites that could harm native species have been instituted? Would any diseases or parasites affect domestic species?

002.06D Would the species be able to establish a self-sustaining population in Nebraska? If no, explain.

002.06E What positive and negative ecological impacts are there? What could the impact be if the species escaped to the wild? Would it harm other wild or domestic species?

002.06F List all consequences of the importation of this species that would be positive and negative to humans?

002.06G Would the benefits of the importation exceed the risks? In what ways?

002.06H Provide evidence that the species is being acquired legally for importation into Nebraska. Such evidence can include a receipt from the legal sale of a commercially raised species or, in the case of a species acquired from the wild in another state, a copy of the laws or regulations indicating that such take and export is legal.

002.07 Request for deletions from the list of fish, mollusks, amphibians and crustaceans for importation into Nebraska (list 002.05). Any person desiring that a species be deleted from this list must provide written responses to the following questions:

002.07A What species do you wish to be deleted from list 002.05? Common and scientific names must be provided.

002.07B For what reason(s) do you feel the species should be removed from the importation list? For example, is the species causing economic or ecological harm?

002.08 The following dead or live fish, mollusks, amphibians and crustaceans meet the criteria in 002.09 and may be taken from the wild

and commercially exploited within the state or exported from the state, provided that a permit is first obtained from the Fisheries Division, Nebraska Game and Parks Commission as outlined in 002.8A through 002.8D.

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
<b>FISH</b>		
Catfish	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Drum	<i>Aplodinotus grunniens</i>	freshwater drum
Gar	<i>Lepisosteus osseus</i>	longnose gar
	<i>Lepisosteus platostomus</i>	shortnose gar
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
Minnow	<i>Cyprinus carpio</i>	common carp
	<i>Ctenopharyngodon idella</i>	grass carp
	<i>Hypophthalmichthyes molitris</i>	silver carp
	<i>Hypophthalmichthyes nobilis</i>	bighead carp
Perch	<i>Perca flavescens</i>	yellow perch
Sucker	<i>Carpionodes carpio</i>	river carpsucker
	<i>Carpionodes cyprinus</i>	quillback
	<i>Catostomus commersoni</i>	white sucker
	<i>Ictiobus bubalus</i>	smallmouth buffalo
	<i>Ictiobus cyprinellus</i>	bigmouth buffalo
<b>AMPHIBIANS</b>		
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander

002.08A Application shall be made on a form furnished by the Fisheries Division, Nebraska Game and Parks Commission in order to obtain a Commercial Fishing Permit (Chapter 2, Section 003) for fish species and a Bait Dealer Permit (Chapter 2, Section 009) for the amphibians listed above.

002.08B The permit shall expire on December 31 following the date of issuance.

002.08C The permittee shall report the sale, take or export of any species listed above to the Fisheries Division, Nebraska Game and Parks Commission quarterly on forms provided by the Fisheries Division.

002.08D The Fisheries Division, Nebraska Game and Parks Commission may refuse to issue or may revoke a permit if the permittee fails to supply the required information or if false information is provided on the application or report forms.

002.09 Any person desiring to add a species to the list in 002.08 must provide written responses to the following questions:

002.09A What species do you wish to take from the wild for commercial purposes or for export from the state? Common and scientific names must be provided.

002.09B Provide evidence that the proposed species meets the criteria for S-4 or S-5 as outlined in 002.11.

002.09C Provide evidence that the proposed species can be commercially exploited or exported without detrimental impact to the population in Nebraska.

002.10 Requests for deletions from the lists of fish, mollusks, amphibians and crustaceans approved for commercial exploitation and export from Nebraska (002.08). Any person desiring that a species be deleted from these lists must provide substantial evidence in writing as follows:

002.10A What species are you recommending to be deleted from list 002.08? Common and scientific names must be provided.

002.10B Is evidence available to indicate that the commercial exploitation or export of the species is detrimental to the population in Nebraska? If available, provide such evidence.

002.10C If removal from lists 002.08 is for the purpose of prohibiting commercial exploitation or export, provide evidence that the species meets criteria S-1, S-2, or S-3 in 002.11.

002.11 The following criteria were used to develop list 002.08.

S1 = Critically imperiled in state because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extirpation from the state.

S2 = Imperiled in state because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extirpation from the state.

S3 = Rare or uncommon in state (on the order of 21 to 100 occurrences).

S4 = Apparently secure in state, with many occurrences.

S5 = Demonstrably secure in state under present conditions.

002.12 This shall not prevent the commercial exploitation of commercial or nongame fish taken under the authority of a commercial fishing permit outlined in 37-543 and 37-4,104 and Commission Fisheries Regulations (Chapter 2, Section 003), nor shall it prevent the commercial exploitation of baitfish, crayfish or tiger salamanders taken under the authority of a bait dealers permit as specified in 37-546 and 37-4,105 and Commission regulations (Chapter 2, Section 009), nor shall it prevent the commercial exploitation of game species propagated or raised under the authority of an aquaculture permit as specified in 37-471, 37-472, and 37-474 and Commission regulations (Chapter 2, Sec. 005), nor shall it prevent the legal activities of a valid nonresident fish dealer outlined in 37-505, 37-4,106 and Commission regulations (Chapter 2, Section 002).

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 25, 2008

Title 163 - Nebraska Game and Parks Regulations

Chapter 2 - Fisheries Regulations

003 Commercial Fishing Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37-315, 37-322, 37-4,104, 37-543, and 37-545. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 212-234 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

003.01 MISSOURI RIVER - AREA OPEN: All that portion of the Missouri River within Nebraska below or downstream from the U.S. Highway No. 81 bridge at Yankton, South Dakota, to the Nebraska-Kansas state line. Provided, that it shall be illegal to use hoop nets, trammel nets, seines, wing nets, trap nets, and dip nets within 300 yards (900 feet) in any direction from the mouth of any stream emptying into the Missouri River.

Provided, that it shall be illegal to use seines, hoop nets, trammel nets, wing, dip or trap nets, or any similar device in that portion of the Missouri River above or upstream from the U.S. Highway No. 81 bridge at Yankton, South Dakota to the boat ramp at Santee such described area to include the Lewis and Clark Lake (Gavins Point Reservoir).

Provided, also, that it shall be unlawful to use any seines, trammel nets, wing, dip or trap nets or any similar device, except that not more than six (6) hoop nets per licensed commercial fisherman may be used in that portion of the Missouri River upstream from the boat ramp at Santee to the Nebraska-South Dakota state line. Provided, also, that it shall be unlawful to use trammel nets in the Missouri River on South Dakota side from the U.S. Hwy. 81 bridge at Yankton, South Dakota downstream to Big Sioux River.

003.01A RECIPROCAL AGREEMENT WITH IOWA: Under a legal reciprocal agreement between the states of Iowa and Nebraska, commercial fishermen holding a valid Commercial Fishing Permit from either the state of Nebraska or Iowa may fish in the entire main channel of the Missouri River bordering the two states. No commercial fishing gear shall be attached to the bank except in the state where the license is issued. All commercial fishermen shall conform with the regulations of the state in which he is licensed.

003.01B RECIPROCAL AGREEMENT WITH MISSOURI: Under a legal reciprocal agreement between the States of Nebraska and Missouri, commercial fishermen duly licensed by either the State of Nebraska or State of Missouri may fish with commercial gear on the flowing portion of the Missouri River bordering the two states. Commercial gear shall not be used in any cutoffs, chutes, bayous, or tributaries of the Missouri River. Commercial fishermen shall not fish from nor attach any device or equipment to land under the jurisdiction of the state in which they are not licensed.

Each commercial fisherman shall conform to the creel limits, size limits, methods, mesh sizes, and all other laws and regulations on commercial fishing of the state in which he is fishing and operating such commercial gear.

The above agreements apply only to the main channel of the Missouri River. All cutoffs formed by straightening or changing the main channel of the river are not a part of the Missouri River; even though one or both ends are open, commercial gear cannot be used in such waters.

003.02 INLAND WATERS OPEN AREA: Open inland waters are defined as those lentic water bodies that are totally privately owned or

controlled and have not been stocked by the Nebraska Game and Parks Commission within the last ten (10) years.

003.03 OPEN SEASON: Open from January 1<sup>st</sup> through December 31<sup>st</sup> on fish species listed below, except in that portion of the Missouri River upstream from the boat ramp at Santee to the South Dakota-Nebraska state line the season shall be May 1 through October 31.

003.04 SPECIES: Commercial fish shall be defined as the following species:

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
Catfish	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Drum	<i>Aplodinotus grunniens</i>	freshwater drum
Perch	<i>Perca flavescens</i>	yellow perch

Under the authority of a Commercial Fishing Permit it shall be unlawful to take any species of fish with commercial gear except commercial fish and the following:

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
Gar	<i>Lepisosteus osseus</i>	longnose gar
	<i>Lepisosteus platostomus</i>	shortnose gar
Minnow	<i>Ctenopharyngodon idella</i>	grass carp
	<i>Cyprinus carpio</i>	common carp
	<i>Hypophthalmichthyes molitrix</i>	silver carp
	<i>Hypophthalmichthyes nobilis</i>	bighead carp
Sucker	<i>Carpionodes carpio</i>	river carpsucker
	<i>Carpionodes cyprinus</i>	quillback
	<i>Catostomus commersoni</i>	white sucker
	<i>Ictiobus bubalus</i>	smallmouth buffalo
	<i>Ictiobus cyprinus</i>	bigmouth buffalo

003.05 DAILY BAG AND POSSESSION LIMIT: None

003.06 LEGAL COMMERCIAL NETS: It shall be lawful to fish with and use only hoop nets, trammel nets, seines, wing nets, trap nets, and dip nets, in the Missouri River and open inland waters, but only when such nets or traps have been properly licensed and tagged in accordance with state law, and only when such nets or traps comply with state law and regulations, and used at such times, such places and in such manner as provided by these regulations. Not more than a total of 100 lineal feet of wings or leads shall be used on any one trap or wing net. The use of 100 lineal feet of wing or lead, or fraction thereof, on any net or trap, shall be considered as part of one net or trap. Other gear-types may be authorized by the Fisheries Division, Nebraska Game and Parks Commission for use on inland waters.

003.06A All nets, or traps used on the Missouri River shall be made of non-metallic mesh.

003.07 FISHING METHODS: Trammel nets must be personally attended by permittees at all times and all nets must be raised and all fish removed every one-half hour. Hoop, wing, and trap nets shall not be left set and unattended for more than twenty-four hours. It shall be unlawful for any Commercial Fishing Permit holder to have in his or her possession, or in his or her boat any sport fishing gear while using or transporting any commercial nets or devices.

003.08 LAWFUL MESH SIZE: On the Missouri River all mesh on seines, hoop nets, and all leads and wings, and dip nets, shall be one and one-half inches square or bar measure or larger. Provided, that all mesh in the inner panel of trammel nets shall be two inches square or bar measure or larger. For inland waters all mesh on seines, hoop nets, and all leads and wings, dip nets and other gear as authorized by the Fisheries Division, Nebraska Game and Parks Commission shall be one-half ( $\frac{1}{2}$ ) inch square or bar measure or larger. All measurements shall apply to meshes of all netting when in use, and no allowance shall be made for shrinkage due to any cause.

003.09 SALE OF FISH: Fish legally taken from the Missouri River under a Commercial Fishing Permit may be sold by the Commercial Fishing Permit holder for food purposes only to restaurants, food markets and individuals, and may be resold only by restaurants and food markets; provided that the purchasers must have a valid invoice or bill of sale from the Commercial Fishing Permit holder. Fish legally taken from inland waters under a Commercial Fishing Permit may be sold by the Commercial Fishing Permit holder for food purposes only to restaurants, food markets and individuals. The burden of proof shall be

upon every such purchaser to show by competent and satisfactory evidence that any fish in his possession was lawfully acquired.

003.10 ANNUAL REPORT: All persons holding a Commercial Fishing Permit shall keep an accurate daily record of the date, number, species, and weight of all fish caught from the Missouri River and inland waters with the latter to include the water body name and legal description, and a separate daily record of the date, number, species, and weight of all fish sold during the calendar year. A separate record shall be kept for each month, and an annual report shall be sent to the Fisheries Division of the Nebraska Game and Parks Commission by January 15<sup>th</sup> following the permit expiration. Such records shall be open at all reasonable times to inspection by Commission agents. Report forms will be furnished by the Fisheries Division, Nebraska Game and Parks Commission.

FAILURE TO COMPLY WITH THIS REGULATION WILL DISQUALIFY THE PERMITTEE FOR ISSUANCE OF A SUBSEQUENT PERMIT.

003.11 PERMITS: Application for a Commercial Fishing Permit must be made to the Fisheries Division, Nebraska Game and Parks Commission. All permits shall expire at midnight on December 31 following their issuance.

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** July 25, 2003

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

004 Regulations For the Take of Fish or Snapping Turtles From Privately Owned Waterbodies and Fish Salvage. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to Statutes in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37,316, 37-321, 37-322, 37-418, 37-4,104, and 37-545. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 212-241 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

004.01 When authorized by the Fisheries Division, Nebraska Game and Parks Commission, the owner(s) of an approved privately-owned waterbody may take or cause to be removed fish or snapping turtles, for proper fish management purposes, from waters they own and control by methods and means approved by the Commission.

004.01A Such owner(s) or consultants shall apply to the Fisheries Division, Nebraska Game and Parks Commission, for a Private Waterbody Management Authorization.

004.01A1 The owner or consultant of a private waterbody shall provide all requested information on an application form prescribed by the Fisheries Division, Nebraska Game and Parks Commission for each affected waterbody. The application form shall include, but not necessarily be limited to: the signature of the applicant, a description of the waterbody (legal description and size), authorized time-period, species and number of aquatic organisms to be taken, devices and methods of take, name and address of person(s) conducting the take, and disposition of fish or snapping turtles taken.

004.01A2 A Commercial Fishing Permit is required for the use of nets other than legal dip nets and seines as specified in baitfish regulations 009.06A and 009.06B or the sale of nongame fish or bullheads. Commercial fishing permit regulations 003.06, 003.06A, 003.08 and 003.09 shall apply.

004.01A3 Traps may be used to take snapping turtles provided they are floating or supported so that the entrance into the trap is possible only from above the water surface.

004.01A4 It shall be unlawful to stock, transport, or cause to be stocked or transported any fish or snapping turtle taken under the authority of this authorization to another body of water, whether public or private, without prior written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.01A5 It shall be unlawful to take fish with any equipment emitting electricity or radio frequencies unless specifically authorized by the Fisheries Division, Nebraska Game and Parks Commission.

004.01A6 The use of explosives, poisons or chemicals other than registered fish toxicants is prohibited. The use of registered fish toxicants may be authorized provided that the applicant is properly certified through the Nebraska Department of Agriculture.

004.01A7 It shall be unlawful for the approved applicant or consultant to fail to report, on a form prescribed by the Commission, within 30 days of the take of fish or snapping turtles. The report form shall include, but not necessarily be limited to: date taken, waterbody description (legal description and size), species and number of aquatic organisms taken, disposition of fish or snapping turtles taken, and signatures of the waterbody owner and permitted individuals that conducted the take.

004.01A8 It shall be unlawful for persons operating under the authority of this authorization to fail to carry and present upon demand to a Commission employee, a copy of the approved application.

004.01A9 It shall be unlawful to sell, offer for sale, trade or barter any sport fish or snapping turtle taken or held under the authority of this authorization.

004.01A10 It shall be unlawful to take any fish or snapping turtle under this authorization without notifying the area conservation officer, district law enforcement supervisor, or if the officer and supervisor are not available the Law Enforcement Division headquarters, at least 24 hours prior to the take or removal of any aquatic organism.

004.01A11 Failure to comply with all conditions of this authorization may result in the revocation or non-renewal of this authorization in addition to possible legal prosecution.

004.02 When permitted by the Fisheries Division, Nebraska Game and Parks Commission, a consultant or company may take fish for private wildlife management purposes from privately-owned waterbodies by methods and means approved by the Commission.

004.02A A consultant or company shall apply to the Fisheries Division, Nebraska Game and Parks Commission for a Private Fish Management Permit.

004.02A1 The applicant shall provide all requested information on an application form prescribed by the Fisheries Division, Nebraska Game and Parks Commission. The application form shall include, but not necessarily be limited to: education and work background; chemical and equipment certification; equipment and methods to be used; name, address and signature(s) of permit holder and employee(s).

004.02A2 All approved nets must be tagged with tags supplied by the Fisheries Division, Nebraska Game and Parks Commission. Exceptions would be legal dip nets and seines as specified in baitfish regulations 009.06A and 009.06B. All electrofishing equipment must be registered. It shall be unlawful to use or possess any fish sampling equipment not listed on the application form.

004.02A3 It shall be unlawful to fail to report within 72 hours to the Fisheries Division, Nebraska Game and Parks Commission any changes to the original application form

(i.e. employee change, lost/stolen or newly purchased equipment, etc.).

004.02A4 The use of explosives, poisons or chemicals other than registered fish toxicants is prohibited. The use of registered fish toxicants may be permitted provided that the applicant is properly certified through the Nebraska Department of Agriculture.

004.02A5 A Private Fish Management Permit shall remain valid through the calendar year provided that the applicant adheres to the conditions of this permit; to continue permitted activities, a new application must be submitted and approved for each calendar year.

004.02A6 All persons holding a Private Fish Management Permit shall keep an accurate record, as described in 004.02A7, of all activities involving the take of fish and shall remit an annual report to the Fisheries Division, Nebraska Game and Parks Commission by January 15th following permit expiration.

004.02A7 The annual report shall include, but not necessarily be limited to: the landowner(s) name(s) and address(es), descriptions of waterbodies (legal description and size) where fish were sampled and/or removed, list of fish species and number taken from each waterbody, and methods used on each waterbody.

004.02A8 It shall be unlawful for any person(s) operating under the authority of this permit to fail to carry and present upon demand to a Commission employee, a copy of the approved permit.

004.02A9 It shall be unlawful to take any fish under authority of this permit without notifying the area conservation officer, district law enforcement supervisor, or if the officer and supervisor are not available the Law Enforcement Division headquarters, at least 24 hours prior to the take of any fish.

004.02A10 It shall be unlawful to sell, offer for sale, trade or barter nongame fish and bullheads taken or held under the authority of this permit without a Commercial Fishing

Permit. The sale, offer for sale, trade or barter of sport fish taken or held under the authority of this permit is prohibited.

004.02A11 It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this permit to another body of water, whether public or private, without prior written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.02A12 Failure to comply with any of the conditions or terms of this permit may result in revocation or non-renewal of this permit in addition to possible legal prosecution.

004.03 The Commission may authorize the taking of fish by any means and in any numbers when declared by the Secretary of the Commission resulting from an emergency created by the drying up of any waterbody inhabited by fish in accordance with the following regulations:

004.03A Fish may be taken by any method except the following:

004.03A1 Electricity, explosives, poisons, chemicals or other fish toxicants.

004.03A2 Seines or nets, other than legal baitfish seines, dip, or landing nets.

004.03A3 Firearms

004.03B Daily bag and possession limits shall apply, unless specifically modified by the authority of the Secretary.

004.03C It shall be unlawful to buy, sell, trade or barter any sport fish.

004.03D It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this authorization to another body of water, whether public or private, without written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.04 Resulting from the dewatering of irrigation canal systems, the Commission may authorize the methods, means, and numbers of fish which may be taken.

004.04A The take of fish shall be restricted to the following areas:

**Platte River Drainage:**

Buffalo County: Kearney Canal

Dawson County: Buffalo Creek Supply Canal, Cozad Irrigation Canal, Dawson County Irrigation Canal, Farmers & Merchants Canal

Dawson and Buffalo Counties: Elm Creek Canal

Dawson and Lincoln Counties: Gothenburg Canal, Orchard & Alfalfa Canal, Six Mile Irrigation Canal, Thirty-Mile Irrigation Canal

Gosper County: E67 Canal System

Gosper and Phelps Counties: E65 Canal System)

Gosper, Phelps and Kearney Counties: Phelps County Canal System

Keith and Lincoln Counties: Sutherland Supply Canal

Lincoln County: Maloney Supply Canal

**Republican River Drainage:**

Franklin County: Franklin Pump Canal

Franklin and Harlan Counties: Naponee Canal

Franklin, Harlan and Webster Counties: Franklin Canal

Furnas and Harlan Counties: Cambridge Canal

Hitchcock and Red Willow Counties: Culbertson Canal, Driftwood Canal System, Meeker Canal System

Red Willow County: Red Willow Canal

Red Willow and Furnas Counties: Bartley Canal, Frenchman-Cambridge Canal

Webster and Nuckolls Counties: Courtland Canal, Superior Canal

**Loup River Drainage:**

Custer, Valley, and Sherman Counties: Middle Loup Public Power & Irrigation District 1,2,3,& 4

Sherman and Howard Counties: Farwell Canal System - Main, Central and South

Valley and Sherman Counties: Sherman Feeder Canal

004.04B Individuals desiring to take fish from the preceding areas shall make application on a form prescribed by the

Commission. This application form shall include, but not necessarily be limited to: applicants name and address, location of fish salvage activity, specific time of salvage, method of take and disposition of salvaged fish.

004.04C It shall be unlawful for persons operating under the authority of this authorization to fail to carry and present upon demand to a Commission employee, a copy of the approved application.

004.04D It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this authorization to another body of water, whether public or private, without written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.04E It shall be unlawful to buy, sell, trade or barter any sport fish taken under this authorization.

004.04F Salvaged sport fish taken for human consumption are restricted to any statewide length, daily bag or possession limits.

004.04G Salvaged baitfish must comply with bait collection regulations (Section 009).

004.04H It shall be unlawful to fail to report within 30 days following salvage, on a form prescribed by the Commission. The report form shall include, but not necessarily limited to: number by species salvaged, number by species stocked and the pre-approved stocking location, date stocked and any other methods of disposal. Failure to submit a report will disqualify the individual for issuance of a subsequent authorization.





**PRIVATE FISH MANAGEMENT PERMIT**

*FOR STATE USE ONLY*

1. Date application received \_\_\_\_\_
2. Application: Approved \_\_\_\_\_ Denied \_\_\_\_\_
3. Management and methods stipulations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Calendar year: \_\_\_\_\_

**THIS APPLICATION UPON APPROVAL WILL CONSTITUTE A VALID PERMIT TO TAKE FISH FROM PRIVATELY OWNED WATERBODIES DURING THE CALENDAR YEAR AND BY METHODS AND MEANS SPECIFIED ABOVE.**

**Only registered sampling equipment can be used and approved nets shall be tagged with tags supplied by Fisheries Division, Nebraska Game and Parks Commission. Any changes to the original application form (i.e. employee change, lost/stolen or newly purchased equipment, etc.) shall be reported within 72 hours. A Commercial Fishing Permit is required to sell removed nongame fish, gizzard shad, and bullheads. A copy of the approved application must be in possession when conducting permitted activities. The area conservation officer, district law enforcement supervisor, or if the officer and supervisor are unavailable the Law Enforcement Division headquarters shall be notified at least 24 hours prior to permitted activities.**

Application approved/denied by: \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**PERMIT NUMBER** \_\_\_\_\_

cc: Law Enforcement Personnel  
District Fisheries Supervisor  
Central File

**September, 2007**

**PRIVATE WATERBODY MANAGEMENT AUTHORIZATION REQUEST**

Fisheries Division, Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> St. / P.O. Box 30370 / Lincoln, NE 68503-0370

This application is for the owner(s) of a privately owned waterbody to obtain approval from the Commission to take fish and/or snapping turtles for fish management purposes from waters they own and control, in accordance with state law and Commission regulations. Each question must be answered fully and the application signed. Failure to do so may mean disqualification.

1. Applicant's name \_\_\_\_\_  
(First) (Middle Initial) (Last)  
Home address \_\_\_\_\_  
Business address \_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
Name(s) and address(es) of helper(s) \_\_\_\_\_  
\_\_\_\_\_

Are there other owners of the waterbody:  YES  NO If yes, how many \_\_\_\_\_  
**All owners must be in concurrence with this request or the application will be denied.**

2. Name of water body \_\_\_\_\_ Size (acres) \_\_\_\_\_ Max. depth (ft.) \_\_\_\_\_  
Location of waterbody: County \_\_\_\_\_ Quarter \_\_\_\_\_ Section \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_  
Distance (miles) and direction (N,S,E,W) from nearest town \_\_\_\_\_  
\_\_\_\_\_

Source of water \_\_\_\_\_

4. Briefly describe: 1) current aquatic community problems; 2) intended management activity; and 3) management goals \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Species and numbers of fish and/or snapping turtle numbers to be taken \_\_\_\_\_

Method of take \_\_\_\_\_

Who will conduct the operation:

- Self and helper(s)  
 Commercial Fishing Permit holder  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

- Consultant  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

Disposition method for fish or snapping turtles taken \_\_\_\_\_

Proposed time to conduct the operation \_\_\_\_\_

6. Signature of applicant \_\_\_\_\_  
Date \_\_\_\_\_

**PRIVATE WATERBODY MANAGEMENT AUTHORIZATION**

FOR STATE USE ONLY

1. Date application received \_\_\_\_\_
2. Application: Approved \_\_\_\_\_ Denied \_\_\_\_\_
3. Authorized method(s) of take \_\_\_\_\_
4. Authorized method(s) of disposition \_\_\_\_\_
5. Time frame to conduct operation: From \_\_\_\_\_ To \_\_\_\_\_
6. Recommendations for future management activities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THIS APPLICATION UPON APPROVAL WILL CONSTITUTE A VALID AUTHORIZATION TO TAKE FISH AND/OR SNAPPING TURTLES FROM SAID WATERBODY DURING THE TIME PERIOD AND BY METHODS AND MEANS SPECIFIED ABOVE.**

**A Commercial Fishing Permit is required for the use of commercial fishing nets or sale of nongame fish, gizzard shad or bullheads. A copy of the approved application must be in possession when conducting authorized activities. The area conservation officer, district law enforcement supervisor, or if the officer and supervisor are not available the Law Enforcement Division headquarters, shall be notified at least 24 hours prior to authorized activities.**

Application approved/denied by: \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

cc: Law Enforcement Personnel  
District Fisheries Supervisor  
Central File

September, 2007





**ANNUAL ACTIVITY REPORT for PRIVATE FISH MANAGEMENT PERMIT HOLDERS  
NEBRASKA GAME AND PARKS COMMISSION**

Permit holder's name and company \_\_\_\_\_ Permit Number \_\_\_\_\_ Calendar \_\_\_\_\_  
 Year \_\_\_\_\_

Date	Waterbody Owner(s) Name, Address, Phone Number	Waterbody Description County, Sec. T. R., Surface Acres	Method of Take	Fish Sampled Species, Number	Fish Removed Species, Number

Use reverse side if additional space is needed.

Return to: Fisheries Division, Nebraska Game and Parks Commission  
 P.O. Box 30370  
 Lincoln, NE 68503-0370

**This annual report is due by January 15<sup>th</sup> following permit expiration.**







## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** February 2, 2009

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

005 Aquaculture Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37-465, 37-466, 37-468, 37-469, 37-470, 37-471, 37-475, 37-476, and 37-547 to 37-550. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 203-241 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

005.01 Aquaculture permits shall be issued to applicants who raise and propagate aquatic organisms to be sold commercially, in accordance with section 37-468 R.R.S., 1998 which added the specific requirement that such permits could be issued only to an applicant who qualifies as an aquaculturist.

005.02 On aquaculture facilities that have natural inlets and outlets to other waters on other lands permanent screens shall be installed so that no aquatic organisms may enter from the natural stream or from flood waters or leave the hatchery waters. Screens must be approved by the Fisheries Division, Nebraska Game and Parks Commission and shall be made of one-half inch mesh screen or smaller. Permits shall not be issued unless screens can effectively keep aquatic organisms in or out of the aquaculture facility pond.

005.03 It shall be unlawful to raise or import for commercial purposes within the state aquatic organisms without a current aquaculture permit from the Fisheries Division of the Nebraska Game and Parks Commission. Only those species listed in 005.03C and 005.03D may be raised, imported, possessed or sold under the authority of an aquaculture permit.

005.03A There shall be no stocking into public or private waters without prior written authorization from the Fisheries Division of the Nebraska Game and Parks Commission of salmonids infected with *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), or *Aeromonas salmonicida* (Furunculosis). There shall be no stocking of fish infected with Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), Infectious Hematopoietic Necrosis (IHN), Epizootic Epitheliotropic Disease (EED), Virus Disease of *Oncorhynchus masau* (OMV), Spring Viremia of Carp (SVCV), *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD), or Heterosporis. There shall be no transport between culture facilities of any fish exhibiting clinical symptoms or mortality caused by the diseases listed in this Section.

005.03B It shall be unlawful to release into public waters any aquatic organism without prior written authorization from the Fisheries Division, Nebraska Game and Parks Commission. Any request to stock public waters must include a current disease inspection report with a three year disease history of the facility supplying the organisms.

005.03C It shall be unlawful for aquaculture facilities to sell *Gambusia affinis* (mosquitofish) that would be stocked into Nebraska waters.

005.03D The following list of aquatic organisms are approved for importation under an aquaculture permit.

<b><u>Family</u></b>	<b><u>Scientific Name</u></b>	<b><u>Common Name</u></b>
<b>FISH</b>		
Paddlefish	<i>Polyodon spathula</i>	paddlefish

Catfish	<i>Ictalurus furcatus</i>	blue catfish
	<i>Ictalurus punctatus</i>	channel catfish
	<i>Pylodictis olivaris</i>	flathead catfish
	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Pike	<i>Esox americanus</i>	grass pickerel
	<i>Esox lucius</i>	northern pike
	<i>Esox masquinongy</i>	muskellunge
Trout* *(Eggs only)	<i>Oncorhynchus clarki</i>	cutthroat trout
	<i>Oncorhynchus mykiss</i>	rainbow trout
	<i>Oncorhynchus tshawtshca</i>	chinook salmon
	<i>Salmo trutta</i>	brown trout
	<i>Salvelinus fontinalis</i>	brook trout
Temperate bass	<i>Morone chrysops</i>	white bass
	<i>Morone saxatilis</i>	striped bass
Sunfish	<i>Ambloplites rupestris</i>	rock bass
	<i>Lepomis cyanellus</i>	green sunfish
	<i>Lepomis gibbosus</i>	pumpkinseed
	<i>Lepomis humilis</i>	orangespotted sunfish
	<i>Lepomis macrochirus</i>	bluegill
	<i>Lepomis microlophus</i>	redeer sunfish
	<i>Micropterus dolomieu</i>	smallmouth bass
	<i>Micropterus punctulatus</i>	spotted bass
	<i>Micropterus salmoides</i>	largemouth bass
	<i>Pomoxis annularis</i>	white crappie
<i>Pomoxis nigromaculatus</i>	black crappie	
Perch	<i>Sander vitreus</i>	walleye
	<i>Sander canadensis</i>	sauger
	<i>Perca flavescens</i>	yellow perch
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennius</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
<i>Carassius auratus</i>	goldfish	

	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace
	<i>Cyprinus carpio</i>	common carp
	<i>Cyprinus carpio</i>	koi
Sucker	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killifish
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
	<i>Alsoa pseudoharengus</i>	alewife

NOTE: This includes all hybrids of the above species.

### CRUSTACEANS

Crayfish	<i>Orconectes neglectus</i>	ringed crayfish
	<i>Orconectes immunis</i>	papershell crayfish
	<i>Orconectes virilis</i>	northern crayfish
	<i>Cambarus diogenes</i>	devil crayfish

### AMPHIBIANS

Frogs	<i>Lithobates catesbeianus</i>	american bullfrog
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander

### MOLLUSKS

Freshwater mussels	<i>Actinonaias ligamentina</i>	mucket
	<i>Anodontooides ferussancianus</i>	cylindrical papershell
	<i>Arcidens confragosus</i>	rock pocketbook
	<i>Fusconaia flava</i>	Wabash pigtoe
	<i>Lasmigona complanata</i>	white heelsplitter
	<i>Lasmigona compressa</i>	creek heelsplitter
	<i>Leptodea fragilis</i>	fragile papershell
	<i>Ligumia recta</i>	black sandshell
	<i>Obovaria olivaria</i>	hickorynut
	<i>Potamilus alatus</i>	pink heelsplitter
	<i>Potamilus ohioensis</i>	pink papershell
	<i>Potamilus purpuratus</i>	bleufer
	<i>Pyganodon grandis</i>	giant floater
	<i>Quadrula quadrula</i>	mapleleaf
	<i>Strophitus undulatus</i>	creeper
	<i>Toxolasma parvus</i>	lilliput
	<i>Truncilla donaciformis</i>	fawnsfoot

<i>Truncilla truncata</i>	deertoe
<i>Unionomerus tetralasmus</i>	pondhorn
<i>Utterbackia imbecillis</i>	paper pondshell

005.03E Persons possessing a valid aquaculture permit may import, propagate, possess and sell additional aquatic species under special circumstances with written authorization from the Fisheries Division of the Nebraska Game and Parks Commission.

005.04 Operators of aquaculture facilities shall secure all their stock from licensed aquaculture facilities or dealers in the state, or from lawful sources outside the state. Commission approval of an application for importation is required for all species of fish.

005.04A An "Application for Importation" form for fertilized eggs, gametes of live fish, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation. Importation of live fish of the salmonid family is not allowed.

005.04A1 Legal bait fish as listed in Section 009 may be imported into this State for use as bait provided the facility from which they are being imported meets the following criteria. 1) Licensed facility must provide a fish health inspection report with a disease free status to the Fisheries Division of the Nebraska Game and Parks Commission. 2) Testing shall be conducted for Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). 3) An "Application for Importation of Bait" form shall be submitted prior to any importation to the Fisheries Division of the Nebraska Game and Parks Commission. An approval for importation will be granted for a specified period of time up to six months. 4) Approval and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

005.04B All facilities from which fertilized eggs, gametes or live fish are imported into the state shall have been inspected and

found free of Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). Largemouth bass shall also be inspected and found free of LMBV (largemouth bass virus) or yellow perch shall also be inspected and found free of Hetersporis.

005.04C All facilities and broodstocks from which fertilized eggs or gametes of the salmonid family are imported into the state shall have been inspected for (VHS), (IPN), (IHN), (SVCV) *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), *Aeromonas salmonicida* (Furunculosis), and *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD) prior to said importation. These facilities and broodstocks and their eggs and gametes shall be found free of VHS, IPN, IHN, SVCV, and BKD.

Importation of eggs and gametes from facilities and broodstocks testing positive for ERM, Furunculosis, and WHD will be permitted, when disinfected according to the Nebraska Game and Parks Commission's Fish Health Policy. Verification of proper disinfection is required.

005.05 If the agent or officer finds evidence that one of the listed diseases in Sections 005.04B and 005.04C may be present an adequate sample of fish shall be surrendered for a diagnostic inspection.

005.05A Upon identification of any of the listed diseases, the Director of the Commission shall impose an immediate prohibition of moving any fish for up to 30 days (a holding action). During the prohibition a compliance agreement stating the appropriate procedures for the disposal of the infected fish and the disinfection of the facility shall be determined by the Commission's representative and the owner/operator. The agreement shall be designed to bring the least amount of economic hardship to the affected party while affording maximum protection to other operators, growers, and the fishery resources of the state.

005.05B Upon identification and confirmation of VHS, IPN, IHN, SVCV, or WHD the facility shall be depopulated within 60 days. A facility will not be re-permitted until complete disinfection and modification of the facility is completed.

005.06 Operators of aquaculture facilities may purchase and own seines and dip nets for removing or handling their fish; provided, however, that all seines and dip nets shall be used only on the property

covered by the aquaculture permit and shall not be used in any other waters of the State. All nets must be tagged with tags supplied and approved by the Nebraska Game and Parks Commission, if they are to be transported off the facility or between facilities. Hoop nets, trammel nets, gill nets, fyke nets, traps, electrofishing devices, and other type nets shall not be lawful for use under a private fish culture permit without special written approval from the Nebraska Game and Parks Commission.

005.07 Operators of aquaculture facilities may propagate and sell baitfish, amphibians and crustaceans as listed in Section 009 for use as bait and for stocking purposes without a bait dealer permit.

005.08 Applicants for aquaculture permits shall submit with their application detailed drawings showing the present and proposed layout of the aquaculture facility. Drawings shall be drawn to scale and shall be a true representation of actual measurements made on the ground.

The following shall be shown on the drawings:

- Boundary of area to be covered by the permit, showing total acreage and connected to land lines and corners.
- County, section, township and range.
- All present ponds.
- All proposed ponds.
- All streams and drainages.
- Surface area of each present and proposed pond. Depths of each pond, showing maximum depth and average depth.
- Source of water supply.
- Volume of water.
- Outlet works.

005.09 It shall be unlawful for private aquaculturists to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

005.09A It shall be unlawful to fail to report the date, species, strain, source of fish, size, number, location stocked, nearest town, and state. All fish and aquatic organisms shall be reported.

005.09B Reports shall be on approved forms furnished by the Fisheries Division, Nebraska Game and Parks Commission. Failure to comply with this regulation will disqualify the permittee for issuance of subsequent permit.

# NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** June 4, 2010

Title 163 - NEBRASKA GAME AND PARKS COMMISSION

Chapter 2 - Fisheries Regulations

006 Sport Fishing Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes concerning sport fishing, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-305, 37-308, 37-314, 37-315, 37-344, 37-411, 37-426, 37-4,104, 37-4,107, 37-4,109, 37-4,111. 37-501, 37-502, 37-503, 37-504, 37-508, 37-543, 37-544, and 37-545 For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 207 through 247 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

Definitions: In addition to the definitions provided in Chapter 37 the following shall apply to this Chapter.

INLAND WATERS shall include all waters of the State, excluding waters of the Missouri River.

WATERS of the MISSOURI RIVER shall include all that portion of the Missouri River within Nebraska and all reservoirs, oxbows, sloughs, chutes, backwaters, and marshes, which have annual surface water connections to the river, and the first 300 yards upstream from the mouth of all tributary streams

SPORT FISH shall be defined as the following species.

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
Sturgeon	<i>Scaphirhynchus platyrhynchus</i>	shovelnose sturgeon
Paddlefish	<i>Polyodon spathula</i>	paddlefish
Mooneye	<i>Hiodon alosoides</i>	goldeye
Freshwater eel	<i>Anguilla rostrata</i>	American eel
Herring	<i>Alosa chrysochloris</i>	skipjack herring
Catfish	<i>Ictalurus furcatus</i>	blue catfish
	<i>Ictalurus punctatus</i>	channel catfish
	<i>Pylodictis olivaris</i>	flathead catfish

Pike	<i>Esox americanus</i>	grass pickerel
	<i>Esox lucius</i>	northern pike
	<i>Esox masquinongy</i>	muskellunge
	<i>Esox masquinongy</i> x <i>Esox lucius</i>	tiger muskellunge
Trout	<i>Oncorhynchus clarki</i>	cutthroat trout
	<i>Oncorhynchus mykiss</i>	rainbow trout
	<i>Oncorhynchus tshawytscha</i>	chinook salmon
	<i>Salmo trutta</i>	brown trout
	<i>Salvelinus fontinalis</i>	brook trout
Cod	<i>Lota lota</i>	burbot
Temperate bass	<i>Morone chrysops</i>	white bass
	<i>Morone saxatilis</i>	striped bass
	<i>Morone chrysops</i> x <i>M. saxatilis</i>	striped bass hybrid
Sunfish	<i>Ambloplites rupestris</i>	rock bass
	<i>Lepomis cyanellus</i>	green sunfish
	<i>Lepomis gibbosus</i>	pumpkinseed
	<i>Lepomis humilis</i>	orangespotted sunfish
	<i>Lepomis macrochirus</i>	bluegill
	<i>Lepomis microlophus</i>	redear sunfish
	<i>Micropterus dolomieu</i>	smallmouth bass
	<i>Micropterus punctulatus</i>	spotted bass
	<i>Micropterus salmoides</i>	largemouth bass
	<i>Pomoxis annularis</i>	white crappie
Perch	<i>Pomoxis nigromaculatus</i>	black crappie
	<i>Sander canadense</i>	sauger
	<i>Sander vitreus</i> x <i>canadense</i>	saugeye
	<i>Sander vitreus</i>	walleye

BAITFISH shall be defined as those listed in Section 009.

006.01 AREA OPEN: The entire state is open to fishing, except those areas closed by the Commission by posting, or by regulations, by federal or state law, or by city ordinance.

006.02 SEASON: Open the entire year on all species of fish. (Except specific closures as defined in the following Sections; 006.030, 006.04, 006.05 006.06, 006.08, 006.09, and 006.12).

006.03 BAG, POSSESSION AND LENGTH LIMITS:

006.03A Daily bag limit shall be defined as the number of fish, bullfrogs, snapping turtles, or mussels, that may be taken from midnight to the following midnight. Any organism that is not to be

counted in the bag limit must be returned immediately into the water with as little injury as possible. Any organism placed on a stringer or in a container, or not returned immediately into the water must be counted in the bag. Any fish in possession while actively fishing will be subject to length and bag limits that apply to the water being fished.

006.03B Possession limit shall be defined as the number of fish, bullfrogs, snapping turtles, or mussels that an individual may have in physical control and/or storage.

006.03C Length limit shall be defined as the approved length an individual organism can be harvested, being it either a maximum or minimum length or a protected length range (slot).

006.03D It shall be unlawful to:

006.03D1 give, put or leave any fish, bullfrogs, snapping turtles or mussels at any place or in the custody of another person unless they are tagged by the angler with the following information: (1) Name of owner; (2) Address; (3) Phone number; (4) Date of birth; (5) Permit number; (6) Species of fish; (7) Total number of fish and pounds of fillets; (8) Date taken; and (9) Signature of owner and name of recipient if gifted.



<b>Species</b>	<b>Minimum Length Limit Inches</b>	<b>Daily Bag Limit</b>	<b>Possession Limit</b>
County), Bennington Lion Club Pond (Douglas County), Benson Park Pond (Douglas County), Bethphage Pond (Kearney County), Big Springs City Pond (Deuel County), Birdwood Lake (Lincoln County), Buckskin Hills Lake (Dixon County), Burchard Lake (Pawnee County), Carter Lake (Douglas County), Cheyenne State Recreation Area (Hall County), Columbus Hospital Pond (Platte County), Cornhusker Wildlife Management Area Pond (Hall County), Cottontail Lake (Lancaster County), Cottonmill Lake (Buffalo County), Crystal Cove Lake (Dakota County), David City Park Ponds (Butler County), Fontenelle Park Pond (Douglas County), Friend City Lake (Saline County), Glenn Cunningham Reservoir (Douglas County), Grand Island Eagle Scout Lake (Hall County), Grand Island Gun Range Pond (Hall County), Grand Island Such's Lake (Hall County), Hanscom Park Pond (Douglas County), Heartwell Park Lake (Adams County), Hedgefield Lake (Lancaster County), Henderson Park (York County), Hitchcock Park Pond (Douglas County), Holdrege City North Lake (Phelps County), Holmes Lake (Lancaster County), Hooper City Lake (Dodge County), Humboldt City Park Lake (Richardson County), Humphrey Pond (Keith County), Indian Creek Wildlife Management Area Pond (Webster County), Iron Horse Trail Lake (Pawnee County), Johnson Park Lake (Dodge County), Kramer Park Lake (Sarpy County), Laing Lake (Box Butte County), Lake Halleck (Sarpy County), Lake Wanahoo (Saunders County), Lawrence Youngsman Lake (Douglas County), Lexington City Lake (Dawson County), L. E. Ray Lake (Hall			

<b>Species</b>	<b>Minimum Length Limit Inches</b>	<b>Daily Bag Limit</b>	<b>Possession Limit</b>
County, Lincoln Park Pond (Nuckolls County), Lone Star Recreation Area (Fillmore County), Louisville State Recreation Area (Cass County), Meadowlark Lake (Seward County), Melham Park Pond (Custer County), Memphis State Recreation Area Lake (Saunders County), Merganser Lake (Lancaster County), Midlands Lake (Sarpy County), Miller Park Pond (Douglas County), Morman Island State Recreation Area (Hall County), Neligh Park Pond (Cuming County), Niobrara State Park Ponds (Knox County), North Platte I-80 Lake (Lincoln County), Olive Creek Lake (Lancaster County), Open Fields and Waters lakes and ponds (Statewide), Papio D-4 (Douglas County), Pawnee City Pond (Pawnee County), Pawnee Park East and West (Platte County), Pawnee Prairie Wildlife Management Area (Pawnee County), Plattsmouth City Lake (Cass County), Powder Creek Reservoir (Dixon County), Prairie View Lake Recreation Area (Douglas County), Qwest Lake (Cass County), Oxford City Lake (Harlan County), Ravenna Lake (Buffalo County), Sacramento Wilcox Wildlife Management Area (Phelps County), Schwer Park Pond (Sarpy County), Stagecoach Lake (Lancaster County), Steinhart Park Ponds (Otoe County), Shadow Lake (Sarpy County), Silver Creek City Lake (Merrick County), Skyview Lake (Madison County), Stanton Lake (Richardson County), Sutton Clark Pond (Clay County), Swan Creek Lake 5A (Saline County), Swan Creek 67 (Saline County), Ta-Ha-Zouka Park Pond (Madison County), Tecumseh City Pond (Johnson County), Tilden City Pond (Antelope County), Timber Point Lake (Butler			

<b>Species</b>	<b>Minimum Length Limit Inches</b>	<b>Daily Bag Limit</b>	<b>Possession Limit</b>
<p>County), Towl Park Pond (Douglas County), Two Rivers State Recreation Area (Douglas County), Verdon Lake (Richardson County), Wagon Train Lake (Lancaster County), Walnut Creek Lake Recreation Area (Sarpy County), Walnut Creek 2A (Saline County), Walnut Grove Park Pond (Douglas County), War Axe State Recreation Area (Buffalo County), Weeping Water Pond (Cass County), Wehrspann Lake Recreation Area (Sarpy County), West Wood River Wildlife Management Area (Hall County), Wildwood Lake (Lancaster County), Willard L. Meyer Recreation Area (Saline County), Wolbach City Pond (Greeley County), Yankee Hill Lake (Lancaster County), Yanney Park Lake (Buffalo County), York Recharge Lake (York County), and Zorinsky Lake Recreation Area (Douglas County).</p>			
<p>Check other special regulation listed under special use and high use fishing areas in <u>006.12</u> and <u>006.13</u>.</p>			
<p>Waters of the Missouri River Except that the daily bag limit shall include no more than one black bass 21 inches or greater in length.</p> <p>Except that there shall be a 12-inch minimum length limit on all black bass in that section of the Missouri River between Nebraska and Iowa and Nebraska and Missouri and that there shall be a 15-inch minimum length limit on largemouth bass in DeSoto National Wildlife Refuge Lake (Washington County), Snyder Bend Lake, (Dakota and Thurston counties), and Lake Yankton (Cottonwood Lake) (Cedar County).</p>	None	5	10

Species	Minimum Length Limit Inches	Daily Bag Limit	Possession Limit
<p><u>006.03G</u> STRIPED BASS, WHITE BASS, and STRIPED BASS HYBRID, singly or in the aggregate.</p> <p>Inland waters and waters of the Missouri River.</p> <p>Except that the daily bag shall include no more than one fish 18 inches or greater in length, statewide.</p> <p>Except that in Elwood Reservoir (Gosper County), Stagecoach Reservoir (Lancaster County), Wagon Train Reservoir (Lancaster County) and Willow Creek Lake (Pierce County), the daily bag limit is three (3) fish.</p>	None	15          3	30          6
<p>Except no harvest allowed at Branched Oak Reservoir (Lancaster County) and Zorinsky Reservoir (Douglas County).</p>		0	0
<p><u>006.03H</u> CHANNEL CATFISH</p> <p>Inland waters and waters of the Missouri River</p>	None	5	10
<p>Except no harvest allowed at Fort Kearny State Recreation Area Lake #2 (Kearney County), Two Rivers State Recreation Area Lakes 3 and 4 (Douglas County), Wildwood Lake (Lancaster County), and Windmill State Recreation Area Lake #3 (Buffalo County).</p> <p>Check other specific regulations on special use and high use fishing areas in <u>006.12</u> and <u>006.13</u>.</p>		0	
<p><u>006.03J</u> FLATHEAD CATFISH</p>			

<b>Species</b>	<b>Minimum Length Limit Inches</b>	<b>Daily Bag Limit</b>	<b>Possession Limit</b>
<p>Statewide Except that the daily bag limit shall include no more than one fish 30 inches or greater in length.</p> <p>Except no harvest allowed in Branched Oak Reservoir (Lancaster County), Fort Kearny State Recreation Area Lake #2 (Kearney County), Two Rivers State Recreation Area Lakes 3 and 4 (Douglas County), Wildwood Lake (Lancaster County), and Windmill State Recreation Area Lake #3 (Buffalo County)..</p>	None	5	10
<p><u>006.03K</u> BLUE CATFISH</p> <p>Statewide</p> <p>Except no harvest allowed at Fort Kearny State Recreation Area Lake #2 (Kearney County), Two Rivers State Recreation Area Lakes 3 and 4 (Douglas County), Wildwood Lake (Lancaster County), and Windmill State Recreation Area Lake #3 (Buffalo County).</p>	None	1	2
<p><u>006.03L</u> WALLEYE, SAUGER and SAUGEYE singly or in the aggregate.</p> <p>Inland Waters Except that the daily bag shall include no more than one fish 22 inches or greater in length.</p> <p>Exceptions: Elwood Reservoir - In addition to the minimum length, bag, and possession limits listed, fish ranging from 18 inches through 24 inches are protected and may not be possessed. Except that the daily bag limit shall include no more</p>	15	4	8
<p>Exceptions: Elwood Reservoir - In addition to the minimum length, bag, and possession limits listed, fish ranging from 18 inches through 24 inches are protected and may not be possessed. Except that the daily bag limit shall include no more</p>	15	4	8

Species	Minimum Length Limit Inches	Daily Bag Limit	Possession Limit
than one fish of greater than 24 inches in length.			
<p>Calamus Reservoir (Garfield and Loup counties), Harlan County Reservoir including Republican River upstream to the Highway 46 bridge (Harlan County), and Merritt Reservoir (Cherry County) - The daily bag limit may include one (1) fish 15 inches through 18 inches and three (3) over 18 inches or four (4) over 18 inches. Except that the daily bag limit shall include no more than one fish 22 inches or greater in length.</p> <p>Branched Oak Lake (Lancaster County)</p> <p>Except there shall be a slot length limit protecting walleye with lengths ranging from 20 inches to 28 inches at Sherman Reservoir (Sherman County). The daily bag limit can include two (2) fish between 15 inches and not greater than 20 inches and one (1) fish greater than 28 inches.</p> <p>Check other specific regulations on special use areas (<u>006.12M</u>).</p> <p><b>Waters of the Missouri River</b> Except the minimum length limit shall be 15 inches on that portion of the Missouri River from Gavins Point Dam upstream to the Nebraska-South Dakota border and that there shall be a 15-inch minimum length limit on DeSoto Bend National Wildlife Refuge Lake (Washington County).</p>	<p>See explanation</p> <p>22</p> <p>See explanation</p> <p>None</p>	<p>4</p> <p>1</p> <p>3</p> <p>4</p>	<p>8</p> <p>2</p> <p>6</p> <p>8</p>

<p><u>006.03M</u> NORTHERN PIKE Inland waters and waters of the Missouri River. Except there shall be a slot length limit protecting northern pike with lengths ranging from 28 inches to 34 inches at Goose Lake, Holt County.</p> <p>Except there shall be a slot length limit protecting northern pike with lengths ranging from 28 inches to 34 inches at Box Butte Reservoir, Dawes County. The daily bag limit of ten (10) pike can include only one (1) fish over 34 inches and nine (9) or ten (10) fish less than 28 inches. The possession limit is 20.</p> <p>Except there shall be a minimum length limit of 30 inches at Alda DOR (Hall County), Cottonmill Lake (Buffalo County), Enders Reservoir (Chase County), Grove Lake, (Antelope County), Maskenthine Lake (Stanton County) Red Willow Reservoir (Frontier County), Sherman Reservoir (Sherman County).</p> <p>Check special regulations on high use fishing areas and the Valentine National Wildlife Refuge in <u>006.13</u> and <u>006.09A</u>.</p>	<p>None</p> <p>None</p> <p>None</p> <p>30</p>	<p>3</p> <p>3</p> <p>10</p> <p>3</p>	<p>6</p> <p>6</p> <p>20</p> <p>6</p>
<p><u>006.03N</u> MUSKELLUNGE MUSKELLUNGE X NORTHERN PIKE HYBRID (tiger muskellunge).  Inland waters and waters of the Missouri River.</p>	<p>40</p>	<p>1</p>	<p>2</p>
<p><u>006.03O</u> PADDLEFISH  Inland waters (Closed to harvest)</p>	<p>None</p>	<p>0</p>	<p>0</p>

<p>Waters of Missouri River, downstream from Gavins Point Dam to the mouth of the Big Sioux River at mile marker 734, except for closed area(s) as defined in <u>006.04L</u> and <u>006.08A</u>.</p> <p>Except that there shall be a 35-45 inch (eye to fork length) protected slot limit during the snagging season only.</p>	See text	2	2
<p><u>006.03P</u> BAITFISH, TIGER SALAMANDERS, PLAINS LEOPARD FROG, AND NORTHERN LEOPARD FROG.</p> <p>Inland waters and waters of the Missouri River.</p>	None	100	100
<p><u>006.03Q</u> SHOVELNOSE STURGEON</p> <p>Inland waters and waters of the Missouri River downstream from the mouth of the Big Sioux River.</p> <p>Waters of the Missouri River upstream from the mouth of the Big Sioux River.</p>	None	10	20
<p><u>006.03R</u> PALLID AND LAKE STURGEON</p> <p>Inland waters and waters of the Missouri River.</p>	None	0	0
<p><u>006.03S</u> BULLFROGS</p> <p>(Open season August 15 - November 1) It shall be unlawful to take bullfrogs by any means other than hand, handnet, or hook and line.</p> <p>Length shall be measured from snout to vent.</p> <p>Inland waters and waters of the Missouri River.</p>	4½	8	16
<p><u>006.03T</u> SNAPPING TURTLES</p> <p>It shall be unlawful to take snapping turtles except by hand, handnet, hook and line, bow and arrow or gaff hook.</p>			

Inland waters and waters of the Missouri River.	None	10	20
<u>006.03U</u> BLACK CRAPPIE, WHITE CRAPPIE, BLUEGILL, YELLOW PERCH, ROCK BASS, GREEN SUNFISH, PUMPKINSEED SUNFISH, ORANGE-SPOTTED SUNFISH and REDEAR SUNFISH and their hybrids, singly or in the aggregate. This group of fish is defined as panfish.			
Inland waters and waters of the Missouri River.	None	15	30
Except that the minimum length limit for crappie shall be 10 inches at Branched Oak (Lancaster County), Czechland (Saunders County), and Sherman (Sherman County).	10		
Check special fishing regulations on high use fishing areas <u>006.13</u> .			
<u>006.03V</u> BULLHEADS			
Inland waters and waters of the Missouri River	None	None	None
Except the bag limit will be five (5) at Fremont SRA (Dodge County), Louisville SRA (Cass County), and Two Rivers SRA (Douglas County).	None	5	10
<u>006.03W</u> All other game fish, and nongame fish.			
Inland waters and waters of the Missouri River.	None	None	None
<u>006.03X</u> MUSSELS (clams)			
It shall be unlawful to take mussels (clams) except by hand, handnet or hook and line.			
Inland waters and waters of the Missouri River.	None	10	20

### 006.03Y TRANSPORTATION AND POSSESSION

006.03Y1 It shall be unlawful to transport or possess live white perch away from the water body from which they were captured.

006.03Y2 It shall be unlawful to possess fish that are subject to a length limit while wading or engaged in fishing from any shore or boat with more than the gills, viscera, and scales having been removed.

006.03Y3 It shall be unlawful to possess bullfrogs while frogging with more than the viscera removed.

006.03Y4 It shall be unlawful to possess or transport fish that are subject to a bag and possession limit, but not a length limit, if the fillets have not been retained in one piece. Fish may be filleted prior to transport however the fillets must be kept in one piece until eaten so that bag and/or possession limits can be determined.

### 006.04 BOW AND ARROW FISHING

006.04A Inland waters are open to the taking of game fish by bow and arrow from sunrise to sunset July 1 through December 31. The taking of nongame fish by bow and arrow is allowed from January 1 through December 31, twenty four hours per day

006.04B Waters of the Missouri River are open to the taking of game fish by bow and arrow from sunrise to sunset July 1 through December 31 except for that portion from Gavins Point Dam downstream to a line that extends from the east end of the south cement wall of the discharge canal northwest to the east end of the north wall of the stilling basin during the archery paddlefish season (006.04G). Waters of the Missouri River are open to the taking of nongame fish by bow and arrow January 1 through December 31, twenty four hours per day, except for the portion from Gavins Point Dam downstream to a line that extends from the east end of the south cement wall of the discharge canal northwest to the east end of the north wall of the stilling basin during the archery paddlefish season (006.04G).

006.04C It shall be unlawful to take or possess more than the daily bag and possession limits or individual fish outside the legal length range as prescribed in 006.03.

006.04D It shall be unlawful to fish with an arrow that has more than one point which shall be barbed. Arrows shall be attached to a line from the bow at the time the arrow is released.

006.04E It shall be unlawful to use any bow which is not drawn and held by hand. Except that any person who has lost the use of an arm through amputation or lacks use of an arm through permanent impairment which renders the person incapable of drawing a long bow shall be permitted to use a crossbow or a bow fitted with a draw lock type device to fish. The disabling condition described above must be verified in writing by a physician. The medical certificate shall be carried by permittee while fishing and a copy filed with the Fisheries Division of the Nebraska Game and Parks Commission.

006.04F The following areas are closed to bow and arrow fishing: Platte River State Park and Mahoney State Park (Cass County),

006.04G PADDLEFISH: Paddlefish may be taken by bow and arrow and possessed on open waters of the Missouri River only during the season beginning on the second Saturday of July and running for thirty (30) consecutive days.

006.04H It shall be unlawful to take paddlefish by bow and arrow without the possession of a paddlefish permit and an open paddlefish tag in addition to a valid Nebraska fishing permit as required. Those anglers with a non-resident paddlefish permit must also possess a valid non-resident Nebraska fishing permit.

006.04H1 Applications: Anglers applying for a paddlefish permit must provide the following information: name, address, daytime telephone number, last four digits of their Social Security Number, date of birth, gender, hair color, eye color, height, and weight. Application forms to submit such information to the Commission are available at the Commission headquarters, at all District Offices, on the Commission website, and in the Fishing Guide. The first application period will run from 1 P.M. CDT April 1 to April 30. Mail applications must be received in the Lincoln office, Nebraska Game and Parks Commission, by 5 p.m. CDT on April 30; internet applications must be received by 11:59 p.m.

CDT on April 30. If there are permits remaining after the first drawing, the remaining permits will be sold on a first-come, first-serve basis with sales starting at 1:00 p.m. CDT on the first working day of June.

006.04H2 Permits will be distributed to eligible applicants through a random drawing based on preference points earned.

006.04H3 Preference Points: Any eligible person who properly applies for and is denied a paddlefish permit during the first application period, beginning in 2007, shall receive a preference point, and one additional point shall be added or awarded for each year he or she is unsuccessful in the drawing. Such preference points shall be used to determine priority in the permit drawing, with persons having the most points receiving the greatest priority. If two applicants submit a joint application (buddy permit), priority will be given based on the lowest number of points possessed by either applicant. Any person who is issued a paddlefish permit shall lose all accumulated preference points and any person who does not apply at least once during five consecutive years shall lose all accumulated points.

006.04H4 An individual may not submit more than one application for an archery paddlefish permit during any archery paddlefish application period.

006.04H5. Two anglers may submit a joint application (buddy permit) but both must be either residents or non-residents. A resident cannot submit a joint application with a non-resident.

006.04H6 An individual must be 12 years old by the second Saturday of July to apply for an archery paddlefish permit.

006.04I A harvest quota will be managed by issuing a maximum of two-hundred seventy-five paddlefish permits with a limit of no more than two permits per person.

006.04I1 Ninety-five percent of the paddlefish permits available (rounded to the nearest whole number) will be reserved for residents. If the number of residents applying for permits exceeds the number of permits available, any of the five percent of the permits reserved for non-residents remaining after the

first application period will be issued to resident anglers identified by the random draw.

006.04J Any paddlefish landed must be tagged immediately in the dorsal fin with the anglers tag. Any paddlefish tag that is locked shut prior to attachment, altered, or modified shall be void and not be replaced.

006.04K Only the head, viscera, and tail may be removed from archery harvested paddlefish during transport until the place of residence is reached or the paddlefish is consumed.

006.04L Paddlefish may be taken by bow and arrow on waters of the Missouri River only on that portion downstream from the Gavins Point Dam to the mouth of the Big Sioux River at mile marker 734, except for a closed area immediately below Gavins Point Dam downstream to a line that extends from the east end of the south cement wall of the discharge canal northwest to the east end of the north wall of the stilling basin.

#### 006.05 SURFACE WATER SPEARFISHING:

006.05A The entire state is open to the taking of nongame fish by surface spearing January 1 through December 31. The fishing hours shall be sunrise to sunset September 1 through March 31 and shall be unrestricted April 1 through August 31.

006.05A1 Any device used for surface spearing shall be barbed.

#### 006.06 UNDERWATER SPEARFISHING:

006.06A The following lakes only are open to underwater spearfishing, sunrise to sunset, for game fish July 1 through December 31, and for nongame fish - January 1 through December 31.

Calamus Reservoir (Loup and Garfield counties)  
Elwood Reservoir (Gosper County)  
Enders Reservoir (Chase County)  
Harlan County Reservoir (Harlan County)  
Harry Strunk Reservoir (Frontier County)  
Hugh Butler Reservoir (Frontier County)  
Jeffrey Reservoir (Lincoln County)

Johnson Reservoir (Gosper County)  
Lake Minatare (Scotts Bluff County)  
Lake Ogallala (Keith County)  
Lewis and Clark Lake (Knox and Cedar counties)  
Maloney Reservoir (Lincoln County)  
McConaughy Reservoir (Keith County)  
Merritt Reservoir (Cherry County)  
Privately-owned lakes with permission of owner  
Sherman Reservoir (Sherman County)  
Sutherland Reservoir (Lincoln County)  
Swanson Reservoir (Hitchcock County)

006.06B The following lakes only are open to underwater spearfishing, sunrise to sunset, for game fish June 1 through December 31, and for nongame fish - January 1 through December 31.

Box Butte Reservoir (Dawes County)

006.06C The following lakes only are open to underwater spearfishing, sunrise to sunset, for nongame fish only - January 1 through December 31.

Alda DOR (Hall County)  
Bassway WMA (Buffalo County)  
Blue Hole West WMA (Buffalo County)  
Bufflehead WMA (Buffalo County)  
Cheyenne SRA (Hall County)  
Cozad WMA (Dawson County)  
Cozad West WMA (Dawson County)  
Dogwood East & West WMA (Dawson County)  
East Gothenburg WMA (Dawson County)  
East Odessa WMA (Buffalo County)  
Kea Lake WMA (Buffalo County)  
Kea West WMA (Buffalo County)  
North Kearney Rest Stop (Buffalo County)  
Sandy Channel SRA (Phelps County)  
Union Pacific SRA (Buffalo County)  
War Axe SRA (Buffalo County)  
West Elm Creek WMA (Buffalo County)  
West Wood River WMA (Hall County)  
Willow Island WMA (Dawson County)

006.06D It shall be unlawful to underwater spearfish within 100 yards (300 feet) of any designated swimming or water ski jump area, boat dock, boat ramp, or spillway.

006.06E Only hand spears, rubberband-powered spear guns, compressed air, and spring-loaded power spear guns are legal.

006.06F All spears shall be attached to a lanyard with a maximum length of twenty feet.

006.06G The Divers Flag shall be displayed on the water on a float or buoy during any diving or underwater spearfishing. Any diver or underwater spear fisherman shall not exceed a distance of greater than 150 feet from his divers flag. The flag shall be square and not less than 12" square. The color shall be red background and with white diagonal stripe one-fifth of the flag width. The diagonal stripe shall extend from the top of the hoist to the bottom of the flag.

006.06H It is unlawful to display the Divers Flag when diving or underwater spearfishing is not in progress.

006.06I It shall be unlawful to take or possess more than the daily bag and possession limits or individuals fish outside the legal length range as prescribed in 006.03.

006.06J Recognition of this flag by regulation will not be construed as conferring any rights or privileges on its users nor be construed as restricting the use of the water so marked. Operators of boats shall exercise precaution commensurate with conditions indicated.

006.06K Underwater spearfishing regulations shall not apply to authorized agents of the Nebraska Game and Parks Commission when engaged in experimental studies or fish management projects.

006.06L Upon written approval of the Director, specified species and specified waters may be opened for a limited time to underwater spearfishing for special events, and for fish management purposes.

## 006.07 SET LINES, LIMB LINES AND ICE FISHING

FLOAT LINES shall be defined as any line not attached to the shoreline or pole.

SET LINES shall be defined as a long, heavy fishing line to which one to five hooks are attached in series.

LIMB LINES shall be defined as a fishing line attached to any trees or brush along a bank.

006.07A It shall be unlawful to use float lines in any waters of the state.

006.07B It shall be unlawful to use set lines or limb lines in any pond, lake or reservoir.

006.07C The angler's name, address, fishing permit number and/or driver's license number shall be attached legibly to all limb and set lines.

006.07D It shall be unlawful to use more than five lines while ice fishing and it shall be unlawful to use more than two hooks on each line while ice fishing.

006.07E Each ice fishing line used must be under the direct supervision and within the unaided observation of the angler.

006.08 SNAGGING:

006.08A It shall be unlawful to take any fish by snagging fish externally by hook and line except that paddlefish and nongame fish in open waters of the Missouri River downstream from Gavins Point Dam to the mouth of the Big Sioux River at mile marker 734 except for a closed area immediately below Gavins Point Dam downstream to a line that extends from the east end of the south cement wall of the discharge canal northwest to the east end of the chalk point. The snagging season starts on October 1st and ends on October 31<sup>st</sup> with legal snagging hours running from 7:00 a.m. to 7:00 p.m. Any other game fish accidentally snagged must be returned to the water immediately.

006.08A1 Paddlefish harvested by snagging may be possessed only on that section of the Missouri River where paddlefish harvest is allowed during the open season.

006.08A2 Only one hook per line may be used when snagging. Hook size must be no larger than ½ inch from point to shank.

006.08A3 It shall be unlawful to use a gaff hook or other penetrating device while landing snagged paddlefish.

006.08B A harvest quota will be managed by issuing not more than one-thousand six hundred paddlefish permits with a limit of no more than two permits per person. If the number of applicants exceeds the number of permits allocated as authorized by the Commission, successful applicants will be determined by a random draw.

006.08C All snaggers must obtain and have in their possession while fishing a paddlefish permit and an open paddlefish tag in addition to a valid Nebraska fishing permit to be actively snagging. Those anglers with a non-resident paddlefish permit must also possess a valid non-resident Nebraska fishing permit.

006.08C1 Applications: Anglers applying for a paddlefish permit must provide the following information: name, address, daytime telephone number, last four digits of their Social Security Number, date of birth, gender, hair color, eye color, height, and weight. Application forms to submit such information to the Commission are available at the Commission headquarters, at all District Offices, on the Commission website, and in the Fishing Guide. The first application period will run from 1 P.M. CDT July 1 to July 31. Mail applications must be received in the Lincoln office, Nebraska Game and Parks Commission, by 5 p.m. CDT on July 31; internet applications must be received by 11:59 p.m. CDT on July 31. If there are permits remaining after the first drawing the remaining permits will be sold on a first-come, first-serve basis, with sales starting at 1:00 p.m. CDT on the first working day of September.

006.08C2 Permits will be distributed to eligible applicants through a random drawing based on preference points earned.

006.08C3 Preference points: Any eligible person who properly applies for and is denied a paddlefish permit during the first application period beginning in 2007 shall receive a preference point, and one additional point shall be added or awarded for each year he or she is unsuccessful in the drawing. Such preference points shall be used to determine priority in the permit drawing, with persons having the most points receiving the greatest priority. If two applicants submit a joint application (buddy permit), priority will be given based on the lowest number of points possessed by either applicant. Any person who

is issued a paddlefish permit shall lose all accumulated preference points, and any person who does not apply at least once during five consecutive years shall lose all accumulated points.

006.08C4 An individual may not submit more than one application for a paddlefish snagging permit during any paddlefish snagging application period.

006.08C5 Two anglers may submit a joint application (buddy permit) but both must be either residents or non-residents. A resident cannot submit a joint application with a non-resident.

006.08C6 An individual must be 12 years old by October 1 to apply for a paddlefish snagging permit.

006.08D Ninety-five percent of the paddlefish permits available will be reserved for residents. If the number of residents applying for permits exceeds the number of permits available, any of the five percent of the permits reserved for non-residents remaining after the application period, will be issued to resident anglers identified by the random draw.

006.08F A paddlefish must be tagged immediately in the dorsal fin upon addition to the creel with the anglers paddlefish tag. Any paddlefish tag that is locked shut prior to attachment, altered, or modified shall be void and not be replaced.

006.08F1 A snagger must cast for and hook their own fish.

006.08F2 Only the snout anterior to the eyes and viscera may be removed from snagged paddlefish during transport until the place of residence is reached or the paddlefish is consumed.

#### 006.09 REFUGE LAKES:

006.09A VALENTINE NATIONAL WILDLIFE REFUGE LAKES (Cherry County): It shall be unlawful to fish in any manner other than by hook and line, bow and arrow and hand spear during daylight hours, January 1 through December 31, unless otherwise posted.

Refuge lakes open to fishing, a 15 inch minimum length limit is in effect for largemouth bass. For northern pike there is a maximum length limit of 28 inches on all refuge lakes.

The possession or use of live or dead baitfish and the possession of any fish not taken from these waters is unlawful. However, frozen or dead smelt may be used for bait.

006.09B CRESCENT LAKE NATIONAL WILDLIFE REFUGE LAKES (Garden County): Fishing is permitted during daylight hours on Island Lake from January 1 through December 31, as per refuge regulations.

Fishing is permitted during daylight hours on Smith Lake from November 1 through February 15, as per refuge regulations.

The possession or use of live or dead baitfish and the possession of any fish not taken from these waters is unlawful. However, frozen or dead smelt may be used for bait.

006.09C NORTH PLATTE NATIONAL WILDLIFE REFUGE (Scotts Bluff County): Fishing is permitted from January 15 through October 14 as posted, except that the dam at Lake Minatare and an area paralleling the shoreline at the dam and extending 150 feet lakeward to points of intersection with the shoreline zones shall be closed to fishing March 1 through April 30 from sunset to sunrise.

006.09D DESOTO NATIONAL WILDLIFE REFUGE. Sport fishing by hook and line and archery is permitted as designated by refuge regulations. The use of trot lines and float lines is unlawful. All fishermen shall conform with the regulations of the State in which they are licensed, either Nebraska or Iowa.

006.10 BORDER WATERS:

06.10A Any person possessing a valid fishing license or permit issued by the state of South Dakota, Iowa or Missouri, or who is legally exempted from those license or permit requirements, without further permit or license, may fish for any species except paddlefish with hook and line, bow and arrow and surface spears in the flowing portions and backwaters, sloughs and chutes that draw water from the Missouri River proper within the boundary of Nebraska adjacent to the state where they possess a valid fishing license or permit or are exempted from having one. These anglers may also fish with hook and line, bow and arrow, and surface spears in the Nebraska portion of any oxbow lakes through which a state boundary passes for a state where they possess a valid fishing license or permit or are exempted from having one. Any person possessing a valid fishing

license or permit issued by the state of Iowa or Missouri or is legally exempted from those license or permit requirements without further permit or license, may fish all waters of the Hamburg Bend Wildlife Management Area and the Nebraska portion of the Missouri River between the Hamburg Bend chute entrance structure (River Mile 555.5) and chute exit structure (River Mile 552.1).

Except that in the tailwaters of Gavins Point Dam from the dam to 0.6 miles downstream, a non-resident Nebraska fishing permit is required of persons who are not residents of Nebraska or South Dakota when fishing from boat or either bank.

006.10A1 All reciprocal privileges in Section 006.10A shall be contingent upon a grant of like privileges by the appropriate neighboring state to the permitted, licensed or exempted hook and line, bow and arrow, or surface spearfishing anglers of Nebraska.

006.10A2 Regulations regarding method of take, size, bag and possession limits of the more restrictive state between the licensing state and the State of Nebraska shall apply in South Dakota, Iowa and Missouri boundary waters.

006.10A3 Anglers licensed, permitted, or exempted in South Dakota, Iowa or Missouri may fish from or attach devices or equipment to land under the jurisdiction of Nebraska adjacent to the state where they possess a valid fishing license or permit or are exempted from having one.

006.11 LEGAL NETS, TRAPS AND OTHER DEVICES: It shall be unlawful to possess or use any and all nets, traps, electrical gear capable of stunning fish, or other devices except legal baitfish methods of take described in Section 009.04 or under authorization of special permits as follows:

6.11A Commercial Fishing Permit

6.11B Private Pond Authorization

6.11C Salvage

06.11D Scientific Collectors

006.11E Landing nets, made of non-metallic mesh used only for the landing of fish caught on hook and line.

006.12 SPECIAL AREAS: Special regulations are in effect on the following areas:

006.12A TWO RIVERS STATE RECREATION AREA (Douglas County):

006.12A1 A daily trout fishing tag is required to possess trout on the Two Rivers State Recreation Area (fee \$4.00).

006.12A2 FEE FISHING AREA: Lake No. 5 within the Two Rivers State Recreation Area (Douglas County), is designated as a special trout fishing area, subject to the following regulations:

006.12A2a Each daily trout fishing tag allows the angler to harvest four (4) trout. A maximum of three tags can be purchased per angler day with a possession limit set at twelve (12) trout.

006.12A2b The open season dates will be prescribed and posted by the Commission with fishing allowed between sunrise and one-half hour after sunset.

006.12A2c Each fisherman shall wear the trout tag or tags, on his person in a conspicuous place while fishing during the time period of March 1 through June 30.

006.12A2d Up to two children, under the age of 16, are allowed to fish with an adult holding a valid trout tag. The bag limit of four trout per tag is maintained for the group.

006.12A2e Each fisherman shall be limited to the use of one rod and reel or fishing pole, and bow and arrow fishing, snagging and spearing are prohibited.

006.12A2f All fish, live or dead, are prohibited as bait.

006.12A2g Each fisherman shall keep his fish on a separate stringer or container under his control.

006.12A2h Each trout caught shall be counted in the bag limit, and no trout caught shall be returned to the water.

006.12A2i Each fisherman shall report his catch at the Administration Building and return his tag or tags each day when finished.

006.12A2j Each fisherman's resident or nonresident fishing permit will be held until his tag or tags and catch report are returned.

006.12B TROUT SPAWNING STREAMS tributary to the North Platte River and McConaughy Reservoir (Sioux, Scotts Bluff, Morrill, Garden and Keith counties): it shall be unlawful to possess a net or seine of any type on the following streams.

Upper Dugout Creek	Silvernail Drain Creek
Pumpkin Creek	Dry Sheep Creek
Wildhorse Creek	Spotted Tail Creek
Stuckenhole Creek	Dry Spotted Tail Creek
Nine Mile Creek	Otter Creek
Tub Springs Creek	Clear Creek
Winter Creek	Lonergan Creek
Indian Creek	Cedar Creek

006.12B1. Legal landing nets shall have a maximum diameter of 12 inches, a maximum depth of 15 inches and a maximum handle length of 3 feet.

006.12C Wildwood Wildlife Management Area (Lancaster County)

006.12C1 It shall be unlawful to have in possession or use live baitfish, while fishing Wildwood Lake (Lancaster County). Provided further, that while fishing Wildwood Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12D EUGENE T. MAHONEY STATE PARK, BARIGHT LAKE  
(Cass County):

It shall be unlawful to fish in the lake EXCEPT:

006.12D1 Children under 16 years of age, handicapped adults, and adults (parents or guardians) assisting children fishing under their supervision are permitted to fish the entire lake, except the immediate marina area.

006.12E CLEAR LAKE (Brown County): It shall be unlawful to have in possession or use baitfish, alive or dead, while fishing in Clear Lake (Brown County). Provided further, that while fishing in Clear Lake, it shall also be unlawful to have in possession any live fish other than those taken from this lake.

006.12F SHERMAN RESERVOIR (Sherman County) Sherman Dam and the area paralleling the shoreline at the dam extending 150 feet lakeward, along with the constructed artificial spawning reef located on the southwest corner of the dam, shall be closed to fishing from sunset to sunrise April 1 through April 20<sup>th</sup>.

006.12G SCHRAMM PARK (Sarpy County) Fishing is prohibited on all areas of Schramm Park except for the Platte River and for events sponsored by the Nebraska Game and Parks Commission.

006.12H PLATTE RIVER STATE PARK, JENNY NEWMAN LAKE  
(Cass County)

006.12H1 Children under 16 years of age and adults (parents or guardians) assisting children fishing under their supervision are permitted to fish the entire lake, except the immediate marina area.

006.12H2 Possession of any fish species while fishing this lake is prohibited. This lake is designated a "No Kill Lake," thus all species must be returned unharmed to the lake immediately by the angler.

006.12I OLIVE CREEK LAKE SRA (Lancaster County) It shall be unlawful to have in possession or use live baitfish, while fishing

Olive Creek Lake SRA (Lancaster County). Provided further, that while fishing Olive Creek Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12J PIBEL LAKE (Wheeler County) It shall be unlawful to have in possession or use live baitfish while fishing Pibel Lake (Wheeler County). Provided further, that while fishing Pibel Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12K CHALKROCK LAKE (Cedar County) It shall be unlawful to have in possession or use live baitfish while fishing Chalkrock Lake (Cedar County). Provided further, that while fishing in Chalkrock Lake, it shall also be unlawful to have in possession any live fish other than those taken from this lake.

006.12L LAKE MCCONAUGHY (Keith County)

006.12L1. It shall be unlawful to have in possession walleye on that portion of Otter Creek from its junction at the lake shore of Lake McConaughy upstream to and including the culvert under Highway 92.

006.12L2. From sunset to sunrise, April 1 through April 30, fishing from a boat within 30 yards of the dam shall be allowed only on that portion of the dam 200 feet north of the morning glory (outlet), with boat travel in a south-to-north (counter clockwise) direction required.

006.12M FRYE LAKE (Grant County) It shall be unlawful to have in possession or use live baitfish while fishing Frye Lake (Grant County). Provided further, that while fishing Frye Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12N YANKEE HILL LAKE (Lancaster County) It shall be unlawful to have in possession or use live baitfish while fishing Yankee Hill Lake (Lancaster County). Provided further, that while fishing Yankee Hill Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12O HOLMES LAKE (Lancaster County) It shall be unlawful to have in possession or use live baitfish while fishing Holmes Lake (Lancaster County). Provided further, that while fishing

Holmes Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12P BLUE LAKE (Garden County) Blue Lake is closed to access during the nine-day firearm deer season.

006.12Q HEDGEFIELD LAKE (Lancaster County) It shall be unlawful to have in possession or use live baitfish while fishing Hedgefield Lake (Lancaster County). Provided further, that while fishing Hedgefield Lake, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12R LAKE WANAHOO (Saunders County) It shall be unlawful to have in possession or use live baitfish while fishing Lake Wanahoo (Saunders County). Provided further, that while fishing Lake Wanahoo, it shall also be unlawful to have in possession any live fish other than those taken from the lake.

006.12S. Kea West WMA Lake (Buffalo County) It shall be unlawful to harvest any fish species. This lake is managed as a total catch and release fishery.

006.12T. East Hershey WMA (Lincoln County) It shall be unlawful to harvest any fish species. This lake is managed as a total catch and release fishery.

006.12U. West Brady WMA (Lincoln County) It shall be unlawful to harvest any fish species. This lake is managed as a total catch and release fishery.

006.13 On the following fishing areas it shall be unlawful to have in possession or use live baitfish, while fishing on that waterbody. Provided further, that while fishing that waterbody, it shall also be unlawful to have in possession any live fish other than those taken from that waterbody. These waterbodies are as follows:

Ansley City Lake (Custer County),  
Bethphage Pond (Kearney County),  
Cottonmill Lake (Buffalo County),  
Grand Island Such's Lake (Hall County),  
Heartwell Park Pond (Adams County),  
Holdrege City North Lake (Phelps County),  
Lexington City Lake (Dawson County),

Lincoln Park Pond (Nuckolls County),  
Ravenna Lake (Buffalo County),  
Meadowlark Lake (Seward County),  
Skyview Lake (Madison County),  
Ta-Ha-Zouka Park Pond (Madison County),  
Yanney Park Lake (Buffalo County).

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** September 1, 2006

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

007 General Regulations Governing The Administration And Use Of Property. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §§ 37-301 through 37-308, 37-310, 37-313, 60-1993, and 60-6190. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-213 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

### 007.01 CAMPING

007.01A Overnight camping is not permitted on State Fish Hatchery Areas without prior written approval from the Fisheries Division.

007.01B For purposes of these regulations camping is defined as temporary lodging out-of-doors for hunting, fishing, or other outdoor activities, and presupposes the occupancy of a shelter designed for such purposes, such as a sleeping bag, tent, trailer, or other vehicle modified for such use.

### 007.02 FIRES, FIREWORKS

007.02A Fires are permitted in fireplaces, grills, or fire rings where provided by the Commission; or in privately owned devices such as gasoline or propane stoves, charcoal grills, or similar devices. No permission is given for open fires not contained in the above mentioned facilities or devices.

007.02B Management personnel of the Game and Parks Commission are specifically authorized to temporarily revoke permission for fires of any kind on State Fish Hatchery Areas when it is determined that the use of fires could be hazardous to health, safety, or welfare of persons, property or wildlife resources.

007.02C No permission is granted for the use of fireworks of any kind on State Fish Hatchery Areas, provided that management personnel are authorized to use fireworks, scare devices, or similar materials for control or management of wildlife species.

### 007.03 PETS AND OTHER ANIMALS

007.03A It is unlawful to permit dogs, cats, or other pets to range at large on any State Fish Hatchery Area, except by specific provisions as listed below.

007.03B Dogs, cats and other household type pets are generally permitted on State Fish Hatchery Areas, provided that owners or handlers shall have control of such animals, except where restricted by the posting of appropriate signs.

007.03C Grazing or ranging domestic livestock or poultry is prohibited without prior written authorization by the Commission.

007.03D Horseback riding is permitted on State Fish Hatchery Areas, except where prohibited by appropriate signs.

### 007.04 FISHING, HUNTING, TRAPPING

007.04A Fishing is prohibited on all State Fish Hatchery Areas, except as required by Commission personnel for the purpose of fish propagation.

007.04B Hunting is prohibited on all State Fish Hatchery Areas, provided that any area or portion thereof may be opened to hunting of certain species in accordance with the general state hunting regulations, by the posting of appropriate signs.

007.04C Trapping is permitted on State Fish Hatchery Areas, in accordance with general state trapping regulations; provided

that any area or portion thereof may be closed to trapping by appropriate signs.

#### 007.05 TRAFFIC

007.05A It shall be unlawful for any person to operate any motorized vehicle on other than designated areas, roadways, parking areas, or trails specifically established for vehicle use. This shall include all trucks, automobiles, trail bikes, snowmobiles, mini-bikes, motorcycles, four-wheel drive vehicles, and all-terrain vehicles; provided that nothing in this section shall prohibit management personnel from using these vehicles for emergency or management purposes.

007.05B It shall be unlawful for any person to operate any vehicle within the boundaries of any State Fish Hatchery Area at a speed greater than is reasonable and prudent under the prevailing conditions, or in excess of maximum posted speed limits.

007.05C It shall be the duty of each vehicle operator to obey all traffic regulatory signs as posted on each area.

#### 007.06 PROPERTY

007.06A The possession, destruction, injury, defacement, removal, or disturbance in any manner of any building, sign, equipment, monument, statue, marker or other structure, or of any animal or plant matter and direct or indirect products thereof, including but not limited to petrified wood, flower, cane or other fruit, egg, nest, or nesting site, or of any soil, rock, or mineral formation, artifact, relic, historic, or prehistoric feature, or of any other public property of any kind without prior permission of the Superintendent is prohibited on State Fish Hatchery Areas.

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 20, 2012

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

008 Fishing Tournaments, Derbies Or Contests, Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, and 37-408. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

008.01 All fishing tournaments, derbies or contests held on waters owned or controlled by the Commission, that require an entry fee to participate, must be registered with the Commission's Fisheries Division 45 days prior to the event. Fishing tournament registration forms are available in the Fishing Guide and on the Commission's website.

008.02 A fishing tournament approval certificate and tournament results form will be provided by the Commission's Fisheries Division. The tournament results form must be completed and returned by fishing tournament organizers to the Commission's Fisheries Division within 30 days following the completion of the fishing tournament. Failure to return the form or provide the requested information will result in denial of future fishing tournament requests for at least one year.

008.03 It shall be unlawful to sponsor, organize, promote, or conduct fishing tournaments, derbies, or contests that involve tagged or otherwise marked fish on waters owned, controlled, or managed by the Nebraska Game and Parks Commission unless these events are sponsored or authorized by the Commission for scientific, educational, or angler recruitment/development/retention purposes.

008.04 Fishing tournament, derby, or contest applications may be denied if the date(s) and location(s) conflict with previously approved events. Applicant denial can also be based on safety

concerns due to low water conditions or anticipated heavy use that could result in boat ramp congestion.

008.05 The Commission's Fisheries Division may impose special conditions not specifically covered herein for a fishing tournament, derby, or contest if deemed necessary to protect the resource or to assure public safety. Special conditions may include, but are not limited to: aerated live wells, release of live fish, designated release areas, and on-the-water measurement and release of fish (without an on-shore weight-in site).

# NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 4, 2011

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

009 Bait Collecting And Dealer Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. State. §§ 37-214, 37-301, 37-304, 37-310, 37-314, 37-482.01, 37-4,105, 37-4,106, 37-505, 37-511, 37-546, and 37-548. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-241 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

BAITFISH shall be restricted to the following species.

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennioides</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace

Sucker	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killifish
Herring	<i>Dorosoma cepedianum</i> <i>Alsoa pseudoharengus</i>	gizzard shad alewife

The following regulations in Section 009 will pertain to the above baitfish and the following amphibians and crustaceans:

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
<u>Amphibians</u>		
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander
<u>Crustaceans</u>		
Crayfish	<i>Orconectes neglectus</i> <i>Orconectes immunis</i> <i>Orconectes virilis</i> <i>Cambarus diogenes</i>	ringed crayfish papershell crayfish northern crayfish devil crayfish

009.01 BAIT USE: Bait may be possessed and utilized by: 1) individuals for fishing; 2) licensed bait dealers; 3) licensed aquaculturists; and, 4) licensed nonresident fish dealers.

009.01A It shall be unlawful:

009.01A1 for anyone to sell, import, transport, or offer for sale as bait any live species not defined as baitfish in this section, except live alewife and gizzard may not be sold, imported, or transported from the water body in which they were taken. Live black bullhead, yellow bullhead, bowfin, buffalo, carp, carpsucker, gar, gizzard shad, alewife or quillback may be used for bait only in the same waters from which they are legally taken.

009.01A2 to sell sport fish for bait except sport fish may be resold as bait by a bait dealer if they have been lawfully acquired, 1) from an aquaculturist who lawfully propagated or acquired them, or 2) from a licensed nonresident fish dealer who lawfully acquired them. Any bait dealer who

lawfully acquires sport fish for which the Nebraska Game and Parks Commission has established bag limits, and resells them as bait, must provide to the customer a legible receipt or invoice with the following information: Invoice or receipt number; date of transaction; seller name and address; buyer name and address; and the number and size of each species sold.

009.01A3 for any resident 16 years of age or older and all nonresidents, regardless of age, to sell baitfish, amphibians and crustaceans, listed in Section 009, without a valid bait dealer permit.

009.01A4 for anyone to import any live species of fish without meeting the following criteria:

An "Application for Importation of Bait" form shall be submitted, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

The approval for importation and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

Failure to comply with these criteria shall result in the bait dealer permit being revoked.

009.02 TRANSPORTING BAITFISH OUT OF THE STATE: It is unlawful for any person to transport baitfish taken from the waters of Nebraska out of the State in any manner, except: (a) Baitfish which have been artificially propagated in man-made impoundments by licensed aquaculturists, and (b) Not more than one hundred legally acquired baitfish may be exported by a resident of Nebraska for his personal use in fishing outside the State.

009.03 TAKING, USE AND POSSESSION - INDIVIDUAL ANGLERS:

009.03A It shall be unlawful for any individual to take baitfish except gizzard shad, alewife, amphibians, or crustaceans as listed in 009 as well as plains and northern leopard frogs for personal use as bait by any method except by legal baitfish dip net or by legal cast net as specified in 009.06D and 009.06D1 in lakes, ponds, and reservoirs.

009.03B It shall be unlawful for any individual to take baitfish, except gizzard shad or alewife as specified in 009.06D and 009.06D1, by any method except by legal baitfish dip net within a 200 yard distance below any dam or spillway.

009.03C It shall be unlawful for any individual to transport away from the river any baitfish collected on the Missouri River downstream below Gavins Point Dam and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.03D It shall be unlawful for any individual to take baitfish, amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps in streams and rivers including those on state-owned areas except those listed in Section 009.05.

009.03E It shall be unlawful for any individual to take amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps from non-state owned or controlled lakes and ponds with written permission from the owner or lessee for personal use as bait.

009.03F It shall be unlawful for any individual to possess more than 100 baitfish and or 100 amphibians as listed in

Section 009 as well as plains and northern leopard frogs in combination.

009.03G It shall be unlawful for individuals to possess cultured sport fish for bait unless they are accompanied by an invoice or receipt as specified in Section 009.01A2. This restriction allows sport fish caught on hook and line to be used for bait provided they meet length and bag limits and are used for bait in the waterbody from which they were captured.

009.03H It shall be unlawful for individuals to import live baitfish for use in inland waters.

#### 009.04 TAKING, USE AND POSSESSION - BAIT DEALERS

009.04A Application for a bait dealers permit must be made to the Fisheries Division, Nebraska Game and Parks Commission.

009.04B Bait dealers may possess baitfish, crustaceans and amphibians, listed in Section 009, in unlimited numbers.

009.04C Bait dealers may take gizzard shad, alewife, crustaceans and amphibians, listed in Section 009, for commercial purposes by legal baitfish dip net in any numbers in lakes, ponds and reservoirs.

009.04D Bait dealers may take baitfish, amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps in rivers and streams except those listed in 009.05 in any number provided they do not take, or attempt to take, within 200 yards of any dam or spillway.

009.04E Bait dealers may take amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps from non-state owned or controlled lakes and ponds, with written permission from the owner or lessee, in any number.

009.04F It shall be unlawful for bait dealers to take amphibians, listed in Section 009, from lands administered by the U. S. Forest Service without appropriate authorization from the Service.

009.04G It shall be unlawful for bait dealers to take baitfish from the Missouri River downstream below Gavins Point Dam and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.04H It shall be unlawful for the holder of a bait dealer permit to use more than one helper in seining for bait.

009.04I It shall be unlawful for any bait dealer or their designee to fail to display a current Bait Dealers permit while in the possession of any baitfish, crustacean or amphibian.

009.04J It shall be unlawful for bait dealers to possess cultured sport fish or other legally acquired sport fish for bait unless they are accompanied by a receipt with the same information as in Section 009.01A2.

009.04K It shall be unlawful for bait dealers to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

009.04L It shall be unlawful to fail to include in the report the date, species, location of the collection of baitfish, amphibians and/or crustaceans and quantity collected or purchased. Report forms will be furnished by the Fisheries Division, Nebraska Game and Parks Commission.

009.04M Failure to comply with this reporting regulation will disqualify the permittee for issuance of subsequent permit.

#### 009.05 STREAMS CLOSED TO BAIT HARVEST

009.05A It shall be unlawful for anyone to use a seine, baitfish dip net or baitfish bait trap in any of the following streams:

009.05A1 ANTELOPE COUNTY: Verdigre Creek and all tributaries.

009.05A2 BROWN COUNTY: Long Pine Creek and all tributaries; Bone Creek and all tributaries; Plum Creek and all tributaries; and Fairfield Creek.

009.05A3 BOX BUTTE COUNTY: Niobrara River.

009.05A4 CHERRY COUNTY: North Loup River and all tributaries; Schlagel Creek; Fairfield Creek; Snake River and all tributaries; Plum Creek and all tributaries; and Middle Loup River and all tributaries; Brush Creek west of Brownlee; and Gordon Creek west of Highway 61.

009.05A5 CHEYENNE COUNTY: Lodgepole Creek and all tributaries west of State Spur #230 at Brownson.

009.05A6 DAWES COUNTY: Chadron Creek; Big Bordeaux Creek; White River above Crawford; Little Bordeaux Creek; Niobrara River west of Highway 385 to the Wyoming line, and all tributaries; Dead Horse Creek; White Clay Creek; and Squaw Creek.

009.05A7 GARDEN COUNTY: Blue Creek.

009.05A8 HOLT COUNTY: Steel Creek; and all tributaries of Verdigre Creek.

009.05A9 HOOKER COUNTY: Dismal River and all tributaries.

009.05A10 KEYA PAHA COUNTY: Cottonwood Creek, East Holt Creek and Holt Creek.

009.05A11 KEITH COUNTY: Otter Creek; White Tail Creek; and Lonergan Creek and all tributaries.

009.05A12 KIMBALL COUNTY: Lodgepole Creek and all tributaries.

009.05A13 KNOX COUNTY: North, Middle and South Verdigre, and all tributaries above the town of Verdigre, and Steel Creek.

009.05A14 LOUP COUNTY: Gracie Creek.

009.05A15 MADISON COUNTY: Taylor Creek west of Highway 81.

009.05A16 MORRILL COUNTY: Red Willow Creek, Cedar Creek, Greenwood Creek, Wildhorse Creek, Lawrence Fork Creek, Silvernail Drain, Stuckenhole Creek and Pumpkin Creek below Highway 88.

009.05A17 ROCK COUNTY: Long Pine Creek.

009.05A18 SCOTTS BLUFF COUNTY: The following creeks and drains: Nine Mile, Winters, Tub Springs, Wet Spotted Tail, Dry Spotted Tail, Spotted Tail, Sheep, Dry Sheep, Stuckenhole, Akers Draw, Mitchell Drain, Moffett Drain, Alliance Drain and Bayard Drain.

009.05A19 SHERIDAN COUNTY: Snake River; Larrabee Creek; White Clay Creek; Pine Creek; Deer Creek; and Little Bordeaux Creek.

009.05A20 SIOUX COUNTY: Sheep Creek Drain; Dry Spotted Tail Creek; Spotted Tail Creek; Niobrara River and all tributaries; White River and all tributaries; Monroe Creek; Sowbelly Creek; and Hat Creek.

009.05A21 WEBSTER COUNTY - Elm Creek.

009.06 LEGAL NETS, TRAPS AND OTHER DEVICES: It shall be unlawful to possess or harvest baitfish, crustacean or amphibian with any device except the following:

009.06A Baitfish seines of non-metallic mesh, one-fourth inch square measure only and not over twenty feet long and four feet deep.

009.06B Legal baitfish dip nets of one-fourth inch square mesh of non-metallic mesh, neither length nor width to exceed 36 inches.

009.06C Baitfish and bait traps of one-fourth inch square mesh only, with a length not to exceed twenty-four inches, and a diameter not to exceed sixteen inches, with the opening in the throat of the trap not larger than one and one-half inches in diameter. All baitfish traps shall be raised and fish removed from them at least every twenty-four hours.

009.06D Cast nets up to ten feet in diameter with a mesh size no larger than three-eighths inches square measure, can be used during the months of July, August, September, October and November for capturing gizzard shad and alewife only. Live gizzard shad and alewife captured may only be used for bait the same day they are captured at the same water body where they are captured.

009.06D1 Water bodies where cast nets may be used are limited to the following: Calamus Reservoir, Davis Creek Reservoir, Elwood Reservoir, Enders Reservoir, Farwell Reservoir, Gallagher Canyon reservoirs, Harlan County Reservoir, Jeffrey Reservoir, Johnson Reservoir, Lake McConaughy, Lake Maloney, Medicine Creek Reservoir, Midway Complex reservoirs, Phillips Canyon Reservoir, Plum Creek Reservoir, Red Willow Reservoir, Sherman Reservoir, Sutherland Reservoir, Swanson Reservoir and the Tri County Canal from the diversion dam in Lincoln County to the J-2 Return.

009.07 STATE-OWNED OR CONTROLLED AREAS: Digging, seining, trapping, or dipping for bait or for any other purpose is prohibited. (Exceptions see Sections 009.03A, 009.03C, 009.04C, 009.06D1).

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 25, 2008

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

010 Special Fishing Permits for Residents Who Are Severely Physically or Developmentally Disabled and Who Require Assistance in Angling. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, and 37-424. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

010.01 Eligibility. To be eligible for this special permit, the applicant must be unable to operate a fishing rod and reel, attach terminal tackle, bait a hook and remove fish from a hook(s).

010.02 Application form and permit issuance. Applications for this special permit are available from the Fisheries Division, Nebraska Game and Parks Commission, Box 30370, Lincoln, NE 68503. The applicant must secure the signature of a licensed physician attesting to the fact that the person meets the requirements listed in 010.01. The application must then be submitted with \$5 to the Fisheries Division. Eligible applicants will be issued annual permits from the Fisheries Division.

010.03 Assistance allowed. This special permit is issued in the name of the disabled person and necessitates the permit holder to be assisted by one person. The person assisting the permit holder is allowed to help the permit holder to take, hunt, fish, catch, kill, harvest or possess any aquatic organism in compliance with the Game Law without possessing a fishing permit or aquatic habitat stamp.

010.04 Daily bag and possession limit. If the person assisting the permit holder does not have a current Nebraska fishing permit and aquatic habitat stamp, the permit holder and assistant will be allowed to have one daily bag and one possession limit between them. If the person assisting the permit holder does have a current Nebraska fishing permit and aquatic habitat stamp, each person will be allowed to have a daily bag and possession limit.

Nebraska Game and Parks Commission  
**Application for a Special Fishing Permit**  
**for Severely Physically Disabled or Developmentally Disabled**  
**Persons**  
(33-449/5-97)

I am applying for a special permit which allows one person to help me fish. **I attest that I am unable to fish by myself in the normal manner because of a permanent physical impairment or a developmental disability.** Following is my true description:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Social Security Number \_\_\_\_\_

HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	DATE OF BIRTH	AGE	SEX

**FEE: \$6.00 (includes \$1.00 issuing fee)**

\*\*\*\*\*

**(THE FOLLOWING IS TO BE COMPLETED BY A LICENSED PHYSICIAN)** If this is a renewal, it is not necessary to complete this section because we have the doctor's signature on file.

The above named individual has a permanent physical impairment or has a developmental disability **resulting in an inability to use fishing equipment unassisted.**

Describe nature of disability:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Licensed Physician \_\_\_\_\_ Phone: \_\_\_\_\_

(Type or Print)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Signature of Physician \_\_\_\_\_ Date \_\_\_\_\_

**RETURN TO:**

Fisheries Division  
 Nebraska Game and Parks Commission  
 2200 N 33<sup>rd</sup> St., PO Box 30370  
 Lincoln, NE 68503-0370  
 Phone: 402-471-5552

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** September 1, 2006

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

011 Educational Fishing Project Permit. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. § 37-422, a special free fishing permit known as an Educational Fishing Project Permit. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

The Educational Fishing Project Permit may be granted with the following provisions:

011.01 Eligibility. Only accredited current teachers/instructors and employees of the Nebraska Game and Parks Commission shall be eligible for an Educational Fishing Project Permit.

011.02 Application shall be made with the Fisheries Division of the Nebraska Game and Parks Commission on a form provided by the Commission. The application form shall include, but not be limited to: 1) a description of the education fishing project; 2) the specific time period for the project; 3) a list of students participating in the project, and 4) a permit expiration date.

011.03 This permit shall only exempt the holder and participants listed on the permit from having to possess a valid Nebraska fishing permit and shall not exempt any other rule or regulation.

011.04 This permit shall be available for display to any Commission employee while in effect.

011.05 Copies of the permit shall be provided to all participants who retain in their possession any aquatic organism requiring a valid fishing permit.

## NEBRASKA ADMINISTRATIVE CODE

**LAST ISSUE DATE:** January 4, 2011

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

009 Bait Collecting And Dealer Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. State. §§ 37-214, 37-301, 37-304, 37-310, 37-314, 37-482.01, 37-4,105, 37-4,106, 37-505, 37-511, 37-546, and 37-548. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-241 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

BAITFISH shall be restricted to the following species.

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennioides</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace

Sucker	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killifish
Herring	<i>Dorosoma cepedianum</i> <i>Alsoa pseudoharengus</i>	gizzard shad alewife

The following regulations in Section 009 will pertain to the above baitfish and the following amphibians and crustaceans:

<b>Family</b>	<b>Scientific Name</b>	<b>Common Name</b>
<u>Amphibians</u>		
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander
<u>Crustaceans</u>		
Crayfish	<i>Orconectes neglectus</i> <i>Orconectes immunis</i> <i>Orconectes virilis</i> <i>Cambarus diogenes</i>	ringed crayfish papershell crayfish northern crayfish devil crayfish

009.01 BAIT USE: Bait may be possessed and utilized by: 1) individuals for fishing; 2) licensed bait dealers; 3) licensed aquaculturists; and, 4) licensed nonresident fish dealers.

009.01A It shall be unlawful:

009.01A1 for anyone to sell, import, transport, or offer for sale as bait any live species not defined as baitfish in this section, except live alewife and gizzard may not be sold, imported, or transported from the water body in which they were taken. Live black bullhead, yellow bullhead, bowfin, buffalo, carp, carpsucker, gar, gizzard shad, alewife or quillback may be used for bait only in the same waters from which they are legally taken.

009.01A2 to sell sport fish for bait except sport fish may be resold as bait by a bait dealer if they have been lawfully acquired, 1) from an aquaculturist who lawfully propagated or acquired them, or 2) from a licensed nonresident fish dealer who lawfully acquired them. Any bait dealer who

lawfully acquires sport fish for which the Nebraska Game and Parks Commission has established bag limits, and resells them as bait, must provide to the customer a legible receipt or invoice with the following information: Invoice or receipt number; date of transaction; seller name and address; buyer name and address; and the number and size of each species sold.

009.01A3 for any resident 16 years of age or older and all nonresidents, regardless of age, to sell baitfish, amphibians and crustaceans, listed in Section 009, without a valid bait dealer permit.

009.01A4 for anyone to import any live species of fish without meeting the following criteria:

An "Application for Importation of Bait" form shall be submitted, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

The approval for importation and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

Failure to comply with these criteria shall result in the bait dealer permit being revoked.

009.02 TRANSPORTING BAITFISH OUT OF THE STATE: It is unlawful for any person to transport baitfish taken from the waters of Nebraska out of the State in any manner, except: (a) Baitfish which have been artificially propagated in man-made impoundments by licensed aquaculturists, and (b) Not more than one hundred legally acquired baitfish may be exported by a resident of Nebraska for his personal use in fishing outside the State.

009.03 TAKING, USE AND POSSESSION - INDIVIDUAL ANGLERS:

009.03A It shall be unlawful for any individual to take baitfish except gizzard shad, alewife, amphibians, or crustaceans as listed in 009 as well as plains and northern leopard frogs for personal use as bait by any method except by legal baitfish dip net or by legal cast net as specified in 009.06D and 009.06D1 in lakes, ponds, and reservoirs.

009.03B It shall be unlawful for any individual to take baitfish, except gizzard shad or alewife as specified in 009.06D and 009.06D1, by any method except by legal baitfish dip net within a 200 yard distance below any dam or spillway.

009.03C It shall be unlawful for any individual to transport away from the river any baitfish collected on the Missouri River downstream below Gavins Point Dam and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.03D It shall be unlawful for any individual to take baitfish, amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps in streams and rivers including those on state-owned areas except those listed in Section 009.05.

009.03E It shall be unlawful for any individual to take amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps from non-state owned or controlled lakes and ponds with written permission from the owner or lessee for personal use as bait.

009.03F It shall be unlawful for any individual to possess more than 100 baitfish and or 100 amphibians as listed in

Section 009 as well as plains and northern leopard frogs in combination.

009.03G It shall be unlawful for individuals to possess cultured sport fish for bait unless they are accompanied by an invoice or receipt as specified in Section 009.01A2. This restriction allows sport fish caught on hook and line to be used for bait provided they meet length and bag limits and are used for bait in the waterbody from which they were captured.

009.03H It shall be unlawful for individuals to import live baitfish for use in inland waters.

#### 009.04 TAKING, USE AND POSSESSION - BAIT DEALERS

009.04A Application for a bait dealers permit must be made to the Fisheries Division, Nebraska Game and Parks Commission.

009.04B Bait dealers may possess baitfish, crustaceans and amphibians, listed in Section 009, in unlimited numbers.

009.04C Bait dealers may take gizzard shad, alewife, crustaceans and amphibians, listed in Section 009, for commercial purposes by legal baitfish dip net in any numbers in lakes, ponds and reservoirs.

009.04D Bait dealers may take baitfish, amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps in rivers and streams except those listed in 009.05 in any number provided they do not take, or attempt to take, within 200 yards of any dam or spillway.

009.04E Bait dealers may take amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps from non-state owned or controlled lakes and ponds, with written permission from the owner or lessee, in any number.

009.04F It shall be unlawful for bait dealers to take amphibians, listed in Section 009, from lands administered by the U. S. Forest Service without appropriate authorization from the Service.

009.04G It shall be unlawful for bait dealers to take baitfish from the Missouri River downstream below Gavins Point Dam and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.04H It shall be unlawful for the holder of a bait dealer permit to use more than one helper in seining for bait.

009.04I It shall be unlawful for any bait dealer or their designee to fail to display a current Bait Dealers permit while in the possession of any baitfish, crustacean or amphibian.

009.04J It shall be unlawful for bait dealers to possess cultured sport fish or other legally acquired sport fish for bait unless they are accompanied by a receipt with the same information as in Section 009.01A2.

009.04K It shall be unlawful for bait dealers to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

009.04L It shall be unlawful to fail to include in the report the date, species, location of the collection of baitfish, amphibians and/or crustaceans and quantity collected or purchased. Report forms will be furnished by the Fisheries Division, Nebraska Game and Parks Commission.

009.04M Failure to comply with this reporting regulation will disqualify the permittee for issuance of subsequent permit.

#### 009.05 STREAMS CLOSED TO BAIT HARVEST

009.05A It shall be unlawful for anyone to use a seine, baitfish dip net or baitfish bait trap in any of the following streams:

009.05A1 ANTELOPE COUNTY: Verdigre Creek and all tributaries.

009.05A2 BROWN COUNTY: Long Pine Creek and all tributaries; Bone Creek and all tributaries; Plum Creek and all tributaries; and Fairfield Creek.

009.05A3 BOX BUTTE COUNTY: Niobrara River.

009.05A4 CHERRY COUNTY: North Loup River and all tributaries; Schlagel Creek; Fairfield Creek; Snake River and all tributaries; Plum Creek and all tributaries; and Middle Loup River and all tributaries; Brush Creek west of Brownlee; and Gordon Creek west of Highway 61.

009.05A5 CHEYENNE COUNTY: Lodgepole Creek and all tributaries west of State Spur #230 at Brownson.

009.05A6 DAWES COUNTY: Chadron Creek; Big Bordeaux Creek; White River above Crawford; Little Bordeaux Creek; Niobrara River west of Highway 385 to the Wyoming line, and all tributaries; Dead Horse Creek; White Clay Creek; and Squaw Creek.

009.05A7 GARDEN COUNTY: Blue Creek.

009.05A8 HOLT COUNTY: Steel Creek; and all tributaries of Verdigre Creek.

009.05A9 HOOKER COUNTY: Dismal River and all tributaries.

009.05A10 KEYA PAHA COUNTY: Cottonwood Creek, East Holt Creek and Holt Creek.

009.05A11 KEITH COUNTY: Otter Creek; White Tail Creek; and Lonergan Creek and all tributaries.

009.05A12 KIMBALL COUNTY: Lodgepole Creek and all tributaries.

009.05A13 KNOX COUNTY: North, Middle and South Verdigre, and all tributaries above the town of Verdigre, and Steel Creek.

009.05A14 LOUP COUNTY: Gracie Creek.

009.05A15 MADISON COUNTY: Taylor Creek west of Highway 81.

009.05A16 MORRILL COUNTY: Red Willow Creek, Cedar Creek, Greenwood Creek, Wildhorse Creek, Lawrence Fork Creek, Silvernail Drain, Stuckenhole Creek and Pumpkin Creek below Highway 88.

009.05A17 ROCK COUNTY: Long Pine Creek.

009.05A18 SCOTTS BLUFF COUNTY: The following creeks and drains: Nine Mile, Winters, Tub Springs, Wet Spotted Tail, Dry Spotted Tail, Spotted Tail, Sheep, Dry Sheep, Stuckenhole, Akers Draw, Mitchell Drain, Moffett Drain, Alliance Drain and Bayard Drain.

009.05A19 SHERIDAN COUNTY: Snake River; Larrabee Creek; White Clay Creek; Pine Creek; Deer Creek; and Little Bordeaux Creek.

009.05A20 SIOUX COUNTY: Sheep Creek Drain; Dry Spotted Tail Creek; Spotted Tail Creek; Niobrara River and all tributaries; White River and all tributaries; Monroe Creek; Sowbelly Creek; and Hat Creek.

009.05A21 WEBSTER COUNTY - Elm Creek.

009.06 LEGAL NETS, TRAPS AND OTHER DEVICES: It shall be unlawful to possess or harvest baitfish, crustacean or amphibian with any device except the following:

009.06A Baitfish seines of non-metallic mesh, one-fourth inch square measure only and not over twenty feet long and four feet deep.

009.06B Legal baitfish dip nets of one-fourth inch square mesh of non-metallic mesh, neither length nor width to exceed 36 inches.

009.06C Baitfish and bait traps of one-fourth inch square mesh only, with a length not to exceed twenty-four inches, and a diameter not to exceed sixteen inches, with the opening in the throat of the trap not larger than one and one-half inches in diameter. All baitfish traps shall be raised and fish removed from them at least every twenty-four hours.

009.06D Cast nets up to ten feet in diameter with a mesh size no larger than three-eighths inches square measure, can be used during the months of July, August, September, October and November for capturing gizzard shad and alewife only. Live gizzard shad and alewife captured may only be used for bait the same day they are captured at the same water body where they are captured.

009.06D1 Water bodies where cast nets may be used are limited to the following: Calamus Reservoir, Davis Creek Reservoir, Elwood Reservoir, Enders Reservoir, Farwell Reservoir, Gallagher Canyon reservoirs, Harlan County Reservoir, Jeffrey Reservoir, Johnson Reservoir, Lake McConaughy, Lake Maloney, Medicine Creek Reservoir, Midway Complex reservoirs, Phillips Canyon Reservoir, Plum Creek Reservoir, Red Willow Reservoir, Sherman Reservoir, Sutherland Reservoir, Swanson Reservoir and the Tri County Canal from the diversion dam in Lincoln County to the J-2 Return.

009.07 STATE-OWNED OR CONTROLLED AREAS: Digging, seining, trapping, or dipping for bait or for any other purpose is prohibited. (Exceptions see Sections 009.03A, 009.03C, 009.04C, 009.06D1).